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SNEPP

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ARTICLE APPEARED  
ON PAGE 47THE ECONOMIST  
23 FEBRUARY 1980

## First show your book to Uncle Sam

WASHINGTON, DC

The administration's efforts to recloak the Central Intelligence Agency got a strong helping hand from the Supreme Court this week. By a vote of six to three, the court ruled on Tuesday that the CIA may vet writings by its past or present employees about the agency even if classified information is not involved. By publishing the book "Decent Interval" without the prior approval of the agency, Mr Frank Snepp, a former agent turned author, broke an agreement of trust with the CIA, said the six justices in an unsigned opinion. Employees, on joining, agree to offer writings for prior approval. As its only effective remedy for this breach, ruled the court, the government was entitled to seize Mr Snepp's royalties from the book. These are put at about \$125,000 at present.

The book, published by Random House of New York, deals with the fall of Saigon in 1975. Mr Snepp served in Vietnam for the CIA. Though his book draws on his experience there, the government did not claim in court that he revealed anything confidential.

Admiral Stansfield Turner, the CIA's director, has argued that, even so, it was necessary for the agency to convince its sources that it could keep secrets. Most of the justices seemed influenced by this consideration, arguing that it was important to preserve "the appearance of confidentiality".

Justices Stevens, Marshall and Brennan strongly dissented. The minority opinion, written by Justice Stevens, felt the court was granting the government "unprecedented and drastic relief" and questioned its unusual procedure in rul-

ing without hearing arguments. Justice Stevens raised doubts as to whether the judgment did not seem to justify some species of prior restraint of the press by the government. In the Pentagon Papers case, for example, the court had ruled firmly against prior restraint. The Snepp case is different in that a government worker, not a newspaper, is involved. Even so, lawyers for the American Civil Liberties Union, who defended Mr Snepp in the civil suit brought by the government, were concerned by the decision. So are book publishers.

Three sources of doubt arise for them from the ruling. First, the majority suggests that an agreement between agency and employee on advance clearance need not be in writing. Second, it might be extended to other government officials dealing with "sensitive" material in the state department, the defence department or elsewhere. Third, the remedy for the government appears to extend to money earned by the publisher as well. Writers of diplomatic memoirs have undoubtedly taken note, and so have their publishers.

## Snepp No Better Than Foreign Spy

The U.S. Supreme Court ruled appropriately that former CIA agent Frank W. Snepp III must surrender to the government all his profits from an unauthorized book about the Central Intelligence Agency. Essentially the case involves breach of contract and not freedom of the press or expression.

In order to gain employment with the CIA, Snepp signed an agreement that he would get prior approval for publication of any information related to the agency. He signed another such agreement when he resigned from the CIA in 1978.

When a man signs a contractual agreement putting limits on his activities, it cannot rationally be claimed that he is being denied his constitutional rights. Contracts spelling out the privileges and obligations of the parties involved are an everyday occurrence.

The most important consideration in the

Snepp case is that the information he put in book form was not his to sell in the first place. Intelligence information vital to the national security is the property of the government, not of the individuals who are privy to it.

A CIA agent who betrays his trust by selling secret information between the covers of a book is no better than one who spies for a foreign government.

The Supreme Court 6 to 3 majority wrapped up its unsigned opinion neatly by stating that its order to Snepp "simply requires him to disgorge the benefits of his faithlessness."

In short, it's the civil lawsuit equivalent of making the punishment fit the crime. Snepp has been ordered to give up the fruits of his illicit labor. There is no way of calculating the enormous damage he did through his breach of confidence.

PHILADELPHIA INQUIRER (PA.)  
25 February 1980

## Court protects censors

Begin with a couple of truisms. Everyone agrees that a contract made ought to be kept. Everyone agrees that the government has a right and obligation to try to keep its legitimate secrets, especially where intelligence agencies are concerned.

If those were the only issues involved in the case of Frank Snepp, there would be no argument over the Supreme Court's decision last week. The former Central Intelligence Agency officer signed a contract, as a condition of his employment with the CIA, not to publish any information relating to the agency without the agency's specific prior approval. He broke the agreement. He wrote a book, "Decent Interval," highly critical of the American government's behavior during the evacuation from Saigon. He did not submit the book to the CIA for review.

The Supreme Court, in an unsigned opinion of six justices, ruled that as a consequence the government suffered an "irreparable loss" and Mr. Snepp must "disgorge the benefits of his faithlessness" and turn over all profits from the book to the government.

Case closed. Pandora's box opened — for in its decision, pronounced without oral argument or briefs having been presented, the majority undercut the foundations of this free society. It has, as Justice John Paul Stevens declared in a dissent joined by Justices William J. Brennan Jr. and Thurgood Marshall, fashioned new law "not supported by statute, by the contract, or by the common law." It has given the government a powerful weapon to censor free speech in advance and to curb the American people's right to know what their government is doing. In effect, it has given the government carte blanche to keep secrets the purpose of which is not national security but hiding government embarrassment.

In the case at hand, Mr. Snepp as it

happens did not reveal any classified information. The government conceded that Mr. Snepp broke a contract, but not secrecy. As Justice Stevens pointed out, ". . . the interest in confidentiality that Snepp's contract was designed to protect has not been compromised."

Yet, going far beyond the case at hand, the majority, in effect, ruled that not only the CIA but other government agencies may insist as a condition of employment that Americans forever sign away their constitutional rights. Does the ruling apply to former presidents and secretaries of state who leave the government, take their papers with them, and, deciding for themselves what is secret and what is not, write books for profit? The majority appears not to have considered that.

In a footnote, the majority declared: "The government has a compelling interest in protecting both the secrecy of information important to our national security and the *appearance of confidentiality* so essential to the effective operation of our foreign intelligence service."

Yet surely the government also has a compelling interest in protecting the free flow of information and the right of Americans, including former government officials, to criticize their government. The issue in this case is not whether Frank Snepp is a pleasant fellow. It is not the sanctity of contracts. As Justice Stevens declared, such covenants are enforceable in the courts "only if they can survive scrutiny under the rule of reason." In its decision, the court majority went beyond the bounds of reason. The U.S. Constitution was devised to balance powers; the majority put the weight on the government's side of the scales. The Constitution was devised to protect the citizens against the government. The majority interpreted it exactly the opposite.

ST. LOUIS POST DISPATCH (MO)  
8 February 1980

## *The CIA's 'Newspeak'*

In its latest book censorship caper, the Central Intelligence Agency seems to have failed at the outset because of faulty intelligence. The Justice Department, with the CIA's cooperation, went to court in Washington to prevent publication of a book, only to discover that the book was already on sale less than a mile from the courthouse. The targeted book was "Dirty Work II: The CIA in Africa," by Philip Agee, a former agent who has been publishing the names of CIA personnel. Like most censorship efforts, this one is questionable. It would probably have accomplished little, since Mr. Agee lives in West Germany and presumably could have found other ways of getting his book out.

Of course, the CIA's public affairs director insists that his agency does not

"censor" books or "clear" them for publication. It only reviews those by certain authors to see whether they contain classified material and then approves or disapproves the work. Never mind that, in a long court battle over a book entitled "The CIA and the Cult of Intelligence," the agency once demanded 339 deletions. The book was finally published with 168 blank spaces. The public affairs director says the CIA doesn't disapprove subject matter because it might be embarrassing. Never mind that the CIA wanted a passage deleted because it showed that the CIA director didn't know how to pronounce the name of an African country.

Perhaps the CIA has its own "newspeak" dictionary in which "censor" and "embarrassing" don't have the usual meanings.

U.S. NEWS & WORLD REPORT  
3 March 1980

## 5 Court Rulings on Explosive Issues

Ending a one-month recess, a sharply divided Supreme Court in late February issued a flurry of rulings affecting Americans in many walks of life.

**Secrecy.** The Justices dealt a blow to former and current agents of the Central Intelligence Agency—and possibly other federal employees—bent on exposing agency problems. The Court ruled 6 to 3 that the CIA can require advance clearance of anything employees write for outside use.

Citing a need to protect "sensitive information," the majority upheld a lower-court decision that ordered former CIA agent Frank Snapp to turn over to the government all profits from his unauthorized book on the U.S. withdrawal from South Vietnam. The ruling is certain to spark more suits by CIA officials trying to snuff out exposés of its operations.

EXCERPTED

ARTICLE APPEARED  
ON PAGE E-1NEW YORK TIMES  
24 FEBRUARY 1980

# Major News

## In Summary

### **Costly Last Chapter To Snepp Spy Saga**

From the beginning, the Government insisted that Frank W. Snepp 3d's secrecy oath was a simple matter of contract between Mr. Snepp and his employer. From the beginning, Federal courts have agreed, and last week the Supreme Court, without hearing oral arguments, settled the matter. The Court held that Mr. Snepp, a former employee of the Central Intelligence Agency, "deliberately and surreptitiously violated his obligation" when, in 1976, he published a book called "Decent Interval," criticizing the agency's conduct in the fall of Saigon, without submitting his manuscript to the agency for review.

In a dissenting opinion, Associate Justices John Paul Stevens, William J. Brennan Jr., and Thurgood Marshall said that, even if Mr. Snepp had submitted his manuscript, the Government's censorship authority would have been limited to "the excision of classified material." Since Mr. Snepp says there is no classified material in the book, and the Government has not claimed there is, the book would, in the minority view, have had to be published unaltered anyway.

In Federal District Court, Mr. Snepp was ruled to have broken his contract and ordered to pay the Government all the earnings on his book. An appeals court supported the contract but held that to collect damages the Government would have to show a jury that Mr. Snepp had intentionally deceived intelligence officials into thinking he would abide by his promise. The Supreme Court said such a requirement would deprive the Government of a "reliable deterrent" and reinstated the penalty, which now amounts to about \$125,000.

Thousands of Government employees routinely sign secrecy oaths as a condition of employment, and the Snepp case was widely viewed as a test by former Attorney General Griffin B. Bell of a novel means of punishing violators. Mr. Snepp, his attorneys and the American Civil Liberties Union have asked pointedly whether the like vengeance is apt to be brought to bear upon high officials, such as Secretaries of State, who publish their memoirs after leaving office.

ARTICLE APPEARED  
ON PAGE 50-51NEWSWEEK  
3 March 1980**JUSTICE****The High Court Hits  
Tellers of Secrets**

On one level, it looked like a simple breach-of-contract case. When Frank Snepp joined the CIA in 1968, he signed a security agreement pledging "not to publish . . . any information . . . relating to the Agency" without prior approval. After he quit in disgust eight years later, Snepp wrote "Decent Interval," an account of the chaotic U.S. evacuation from Saigon, which neither he nor his publisher, Random House, showed to CIA censors. The Justice Department, conceding that Snepp hadn't disclosed classified secrets, still sued him to enforce his contractual silence and seize his \$118,000 in royalties. Last week, the U.S. Supreme Court, by a 6-3 vote, upheld the government.

**Mystery:** That's the end of the simple part of the story. The Justices had before them nothing more than petitions from lawyers for both Snepp and the CIA asking for a hearing. Normally at this stage, if the issue raised in a case is sufficiently important, the Justices will agree to hear it and require both sides to prepare detailed briefs and make oral arguments. The Snepp case was particularly suitable for such treatment since the brethren had never dealt directly with the CIA secrecy contract. In a highly unusual action, however, six Justices went right to the merits of the case. The reason for their rush remains a mystery. The three dissenters, John Paul Stevens, William Brennan Jr. and Thurgood Marshall, said they could not find a similar action in the Court's history.

On the merits, the Justices acted as broadly as they—or any legislature—could have. The majority rejected the notion that the CIA should be content with compensatory damages from Snepp—the usual remedy for breach of contract. Instead, the Court imposed a "constructive trust"; that means Snepp has to turn over all profits from the book to the government.

The Court seemed to go even further, in two obscure footnotes, by suggesting that even without a contract, national-security agencies could try to suppress—or punish—publication of sensitive information. A vigorous reading of these judicial asides might dent the brisk trade of former presidents and secretaries of state, whose revealing and profitable memoirs are routinely based on supposedly secret documents. The Court's decision did make one thing clear: it will be more difficult in the future for Americans to learn the details of foreign-policy misadventures.

■ In another decision, the Court dramatically slowed the trend toward unionization by college professors. It ruled, 5-4, that teachers at New York's Yeshiva University are "managerial" employees who are not protected by the National Labor Relations Act. In a ruling that could apply to most private universities, Justice Lewis F. Powell Jr. said that the faculty helps govern the school because it effectively controls tenure, promotions, curriculum and grades.

For the dissenters, Brennan said that the faculty obviously didn't align itself with the administration or it would not have tried to unionize. He suggested that the majority didn't understand how universities worked. "The Court's perception . . . is distorted by the rose-colored lens through which it views the governance structure of the modern-day university," Brennan wrote.

The Court's decision would affect only private institutions because the NLRA does not cover public employees. While unions have organized faculties at hundreds of public colleges, the decision will effectively halt organizing since half the states outlaw public employees' unions. Thus the unions had hoped to concentrate on private institutions, where fewer than 5 per cent of the 1,600 faculties have been organized.

■ The Court last week announced a holding action in the continuing controversy over abortion. It directed the Department of Health and Human Services (formerly HEW) to resume paying for abortions until the Court decides two abortion-financing cases this spring. Last month, U.S. district judge John F. Dooling Jr. ruled unconstitutional the Congressional ban on Medicaid payments for abortions. Dooling delayed his decision pending an appeal to the Supreme Court, but last week, the Justices, by a 6-3 vote, lifted Dooling's stay. The government immediately made Federal funding available. The Court will hear the appeal from Dooling's decision, along with a similar case from Illinois, in April; a judgment is expected before the end of the term in early July.

ARIC PRESS with DIANE CAMPBELL in Washington

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ON PAGE 48-49TIME  
3 March 1980

# Law

## The Wages of "Faithlessness"

*High court plugs a leak—and gets a flood of criticism*

**F**rank W. Snepp III was one of the last Americans to be evacuated by helicopter from the roof of the U.S. embassy in Saigon in the frantic hours before the city's fall on April 30, 1975. Snepp, then 31 and a senior analyst for the Central Intelligence Agency, with 4½ years experience in Viet Nam, thought the agency's withdrawal planning had been shockingly inept, particularly in that hundreds of local CIA collaborators were simply left behind to meet whatever fate awaited them. After he returned to Washington, where he was awarded the agency's Medal of Merit, he quit to write *Decent Interval*, a critical account of the CIA's performance during South Viet Nam's final days, published in 1977.

But in making the switch from agent to tattletale author, Snepp made a mistake: he ignored the written pledge that CIA employees make never to publish "any information" about the organization without submitting it for prior review. Last week, in a toughly worded ruling, the Supreme Court slammed Snepp hard for his transgression. By a 6-3 vote, the court ruled that the CIA secrecy pledge is very much a legally enforceable contract. In their terse nine-page opinion, Chief Justice Warren Burger and the other five men in the majority noted that Snepp had "deliberately" violated his "obligation" to his former employer, and that the Government was well within its rights to sue him for breach of contract. Moreover, said the majority, a lower court had acted perfectly properly in ordering Snepp to "disgorge the benefits of his faithlessness." That meant Snepp had to turn over all of the money he had made (\$115,000 so far) from *Decent Interval*.

Snepp, the son of a North Carolina state judge, had signed two secrecy agreements during his eight years with the CIA. But when the CIA demanded to see his manuscript, Snepp refused. He maintained that he was obliged to submit only classified or nonpublic information. And his book, he insisted, contained none—a fact conceded even by the CIA. The agency, which has been troubled by the spy-and-tell books of another former agent, Philip Agee, decided to take Snepp to court to show that the secrecy pledge was not to be trifled with.

In 1978 a federal district court judge in Virginia, Oren Lewis, granted an injunction barring Snepp from writing anything else about the CIA without clearance; Lewis also ordered Snepp to forfeit his "ill-gotten gains" from *Decent Interval*. Last year an appeals court was only slightly more sympathetic to Snepp's pleas. It upheld the injunction and gave



Former CIA Agent Frank Snepp

*Slammed for breach of contract.*

its blessing to some form of financial penalty—but not to confiscation of Snepp's earnings. Still not satisfied, Snepp decided to appeal to the Supreme Court on the grounds that the prior-clearance requirement impinged on his First Amendment right of free speech.

In its decision last week, however, the majority chose to decide the case as a question of contractual obligations and rejected Snepp's First Amendment argument. The court said that the CIA had a need to impose "reasonable restrictions" on its employees, since confidentiality is "so essential to the effective operation of our foreign intelligence service."

The decision triggered a storm of protest, some of which came from the high bench itself. The three dissenting Justices, John Paul Stevens, Thurgood Marshall and William Brennan, blasted the majority for "the uninhibited character of today's exercise in lawmaking." Stevens, a Ford appointee who has a mixed voting record in freedom of speech cases, wrote that in endorsing the confiscation, the court had fashioned a "drastic" new remedy to enforce "a species of prior restraint on a citizen's right to criticize his Gov-

ernment." There is an inherent risk, he said, "that the reviewing agency will misuse its authority to delay the publication of a critical work or to persuade an author to modify the contents of his work beyond the demands of secrecy."

Many experts on constitutional law were equally concerned. Columbia Law Professor Benno Schmidt, who believes that the CIA should indeed be able to protect its secrets, pointed out that the Supreme Court's procedure in *Snepp* was highly unusual in view of its potential impact: the court did not hear oral arguments or request full briefs. Moreover, says Schmidt, Congress has repeatedly declined to impose secrecy obligations on CIA agents, and, until it does, the courts have no business putting judicial sanctions behind Executive Branch secrecy policies.

**S**chmidt, like other *Snepp* decision critics, is concerned that the ruling may eventually be interpreted as imposing a "fiduciary obligation" on any Government employee not to reveal confidential information, even when no explicit secrecy pledge is involved. Says Schmidt: "This is a notion that is quite foreign to our system and goes well beyond matters of national security. It would apply to law clerks on the Supreme Court, for instance, or to people in the Interior Department." Ultimately, some fear, the result might be the *de facto* establishment of something like the Official Secrets acts in Britain and Canada, which are written broadly enough to make it a crime for someone to disclose any government document without permission.

At the very least, many experts say, *Snepp* could prompt many more agencies to adopt secrecy agreements (at present, the CIA, the FBI and the Defense Intelligence Agency insist on prepublication review, while several other departments and agencies require certain employees not to disclose confidential information). In any case, *Snepp* is bound to have a "chilling effect" on civil servants who may want to write about wrongs they see in Government. Says Yale Law School Professor Thomas Emerson: "The decision could practically silence all Government employees. And what of all the memoir writers—Kissinger, Nixon, L.B.J.? Will they be sued?"

Justice Department attorneys respond that fears about *Snepp*'s being a loose cannon perilous the First Amendment rights of all sorts of people are greatly exaggerated. Eric Richard, a Justice expert on national security questions, says the ruling should give the chills only to those in jobs involving national security "who are out to make a profit" on the information they have. Some court watchers speculate mischievously that one reason the Justices were so eager to lower the boom on Frank Snepp was that they have been irked by *The Brethren*, the gossipy, inside the Su-

preme Court book by Bob Woodward and Scott Armstrong; many of the anecdotes about the Justices' professional habits and private foibles came from talkative young law clerks.

As for Snepp, he has just finished a novel about the CIA and John Kennedy's assassination, tentatively called *Convergence of Interest*. "It is based on fact," he claims, "but not on anything I learned in the agency." Snepp says he has not yet decided whether he should let the CIA see it first.

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ON PAGE A-21NEW YORK TIMES  
25 FEBRUARY 1980

BOSTON, Feb. 24 — When British government is compared with American, secrecy is seen as one profound difference. By cultural tradition and by law the British are secretive; they are confined by an Official Secrets Act and judge-made rules of "confidence." In this country leaks are a part of the system, and it has never been a crime to disclose classified information as such unless it involves codes or nuclear secrets.

Our tradition is "unruly," the late Alexander Bickel said after he argued the Pentagon Papers case, but it is a source of our strength. So the comparison with Britain suggests. Many British analysts have concluded that official secrecy has been a major reason for their Government's poor performance in recent decades.

Last week the Supreme Court pushed this country a long way toward the British system of government secrecy. That may not have been the intention, but it was the inescapable meaning of the Court's 6-3 decision in the case of former C.I.A. agent Frank Snell.

In publishing a book without the C.I.A.'s approval, the Court said, Snell breached a "fiduciary obligation." Someone with his access to confidential matters was in a position of "trust." If he violated it, he could be enjoined from further disclosures; and the Court could impose a "constructive trust" on him and take all his earnings.

That is a far-reaching legal theory, one that could apply to hundreds of thousands of Federal Government employees. For Frank Snell was a low-level employee of the C.I.A., not a high official, and he had no greater access to secrets than do vast numbers of people in the State and Defense Departments. Any one of them, under the theory of the Snell case, can now be enjoined from talking to a reporter — or have his profits seized if he writes a book.

The Supreme Court's approach in the Snell case is strikingly like that of a recent British case. As a member of the

ABROAD AT HOME

# Disorder In The Court

By Anthony Lewis

Labor Government, Richard Crossman, kept diaries, and after his death they were scheduled for publication. The Attorney General sought an injunction against the disclosure of "Cabinet secrets." He did not rely on any statute but said the courts, on their own, should bar this violation of "confidence."

When the Crossman case was heard, American observers said that nothing like it could happen in the United States. We have a Constitution, they said, and a central aspect of it is the Separation of Powers. The courts will not supply a remedy, at the request of the Executive, when Congress has refused to provide it. That was the rule — until the Snell case.

The Pentagon Papers case provided a dramatic example of the Separation of Powers doctrine. The Nixon Administration asked the Supreme Court to stop The New York Times from publishing the papers. In rejecting that request a majority of the Court relied not only on the First Amendment but on the fact that Congress had not authorized the remedy.

Justice Byron White, for instance, in an opinion joined by Justice Potter Stewart, said: "In the absence of legislation by Congress, based on its own investigation and findings, I am quite unable to agree that the inherent powers of the Executive and the courts reach so far. . . ."

And Justice Thurgood Marshall noted that in 1957 a Commission on Government Security had suggested making it a crime to disclose Secret or Top Secret information — but Congress rejected the proposal. "It would be utterly inconsistent with the concept of Separation of Powers," Justice Marshall said, "for this Court . . . to prevent behavior that Congress has specifically declined to prohibit."

Those statements are equally true of the Snell situation. Congress has still not passed a general law penalizing disclosure of classified information; it has also failed to act on proposals for specific legislation on intelligence information. Yet a majority of the Supreme Court, ignoring the Separation of Powers, has now created a severe penalty for disclosure, on a theory very much like the "violation of confidence" idea invoked in Britain in the Crossman case.

Even more amazing is the way the Court reached that result. Snell had violated a promise not to publish anything without showing it to the C.I.A. first, and the Government sued for breach of contract. But the Justices evidently wanted to deprive him of all his royalties, and there is no such remedy for breach of contract. They therefore went on to the much broader theory of "fiduciary obligation." And they imposed a constructive trust on him without hearing argument on the question.

How could Justices Stewart and White act without the Congressional findings whose importance they emphasized in the Pentagon Papers case? How could they and their colleagues impose a sweeping new doctrine of official secrecy without having the facts and implications canvassed first in argument?

The Supreme Court is the victim these days of much ignorant criticism and sensationalized gossip. But there is genuine reason for alarm when the Court hands down a decision as uninformed and unconsidered as that in *Snell v. United States*.

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ON PAGE 35

THE NEW YORK DAILY NEWS  
25 February 1980

## An object lesson

Don't expect us to shed any tears for Frank Snepp 3d, who has been ordered by the Supreme Court to fork over to Uncle Sam all the dough he made from a book about his experiences as a CIA agent in Vietnam.

Snepp clearly violated a signed pledge to submit for CIA review any memoirs based on his government work. It was a contract, freely accepted by a man who knew what he was doing. Snepp treated it like a meaningless scrap of paper.

That was the real issue in the case, and the court majority quite properly rejected Snepp's shabby attempt to cast himself as a martyr to the cause of free speech. The First Amendment is too precious and valuable to be used as a shield for breach of contract.

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CLERGY/PRESS

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NEW YORK TIMES  
27 FEBRUARY 1980

## VIOLATION OF LIMITS BY C.I.A. IS ADMITTED

**Turner Reports Press, Professors  
and Clergy Were Used to Spy  
Despite Policy Against It**

By CHARLES MOHR  
Special to The New York Times

**WASHINGTON**, Feb. 26 — The Carter Administration, which is resisting a legal prohibition against the use of journalists, clergymen and professors as spies, has conceded that it has already engaged in such practices although its own policy has forbidden them since 1977.

Adm. Stansfield Turner, the Director of Central Intelligence, testified last week before the Senate Select Committee on Intelligence that "in very limited occasions" he had waived provisions of his own policy directives against the use of individuals from these groups by the Central Intelligence Agency.

Representative Les Aspin, Democrat of Wisconsin, yesterday sent Admiral Turner a letter asking for more details, including a list of "all exceptions" granted to the directive against the use of journalists in conducting intelligence activities. Mr. Aspin is chairman of the Oversight Subcommittee of the House Select Intelligence Committee.

Admiral Turner's testimony appeared to reopen a controversy that was ostensibly closed when he issued a policy directive on Nov. 30, 1977. The directive said the Central Intelligence Agency "will not enter into any relationships" with either full-time or part-time journalists "for the purpose of conducting any intelligence activities."

### Directive Bars Use of Cover

The so-called "Turner directive" also forbade the agency to use "the name or facilities of any U.S. news media organization to provide cover" for its agents or actions.

Senator Walter D. Huddleston, Democrat of Kentucky, included prohibitions against such actions in the draft of a National Intelligence Act that he proposed earlier this month. But last Thursday Admiral Turner objected to the inclusion of the prohibitions in the law, saying that some circumstances may warrant the use of journalists, clergymen and academics, or their institutions, as cover.

The Director's written testimony added that "on rare occasions" he had granted waivers of the "general prohibitions against the use of these groups." In delivering this testimony orally he changed the wording to say he had granted waivers "on very limited occasions."

Herbert Hetu, the C.I.A.'s press spokesman, today declined to offer clarification of Admiral Turner's testimony or to say whether the waivers involved the press, clergy and academics, or only one or two of those categories. Mr. Hetu said that Admiral Turner would be "straightening out this matter" in testimony tomorrow before the Senate Select Committee on Intelligence. However, that testimony will be in closed session.

### Reassurance by Turner

In testifying before Representative Aspin's subcommittee in April of 1978, Admiral Turner expressed what he called "the strongest reassurance" that the exception would be used "only under the most extraordinary circumstances." He also said the Congressional intelligence committees "would be in a position to inquire into such exceptions."

Mr. Aspin said the House committee had never been informed of the admiral's waivers. Informed Senate sources said the Senate committee had not been informed either.

TUSCON ARIZONA STAR  
4 February 1980

# The CIA and the First Amendment

The CIA and the Carter administration advocate revision of the CIA charter. They want to remove restrictions on using journalists and clergymen as spies and to make it a criminal offense for anyone to publish the name of a CIA agent.

It has been only a few years since the Congress was determined to make the agency accountable for dubious cloak and dagger activities. It rewrote the charter and created a system in which eight congressional committees would share responsibility for watching the agency.

In retrospect, the administration and the agency have a point: The CIA has been over-regulated.

But it is a peculiarly American trait to believe that all the evils of any institution may be eliminated through legislation.

As the pendulum swings and liberals and conservatives battle over new charter provisions, it is possible that the price of a new CIA charter will be another little qualification to the First Amendment.

The CIA's questionable activi-

ties of the 1960s and '70s created a small rebellious movement among former agents who decided to divulge the agency's sins. One agent wrote a long ponderous tome on CIA activities in which he named CIA agents in South America. The book was published in Great Britain — beyond the grasp of the CIA.

The "Covert Action Information Bulletin" today publishes the names of CIA agents throughout the world. The publication's editor, William H. Schaap, says identification of agents is aimed only at "exposing what we view as the abuses" of the CIA.

The CIA has a strong argument, one that matches Carter's new opinion that the U.S. is militarily weak and his determination to overcome it.

However, the familiar argument that national security magically overrides constitutional guarantees is again being made by a president.

House Democratic Leader Jim Wright has introduced legislation that would make anyone who disclosed an agent's identity subject to criminal prosecution.

Even the Justice Department said this bill conflicts with the right of free speech guaranteed by the First Amendment.

Protection of CIA agents is a legitimate goal. But not at the expense of the First Amendment. Nowhere in the Constitution does it say that guaranteed rights are subject to qualification. The courts have ruled, however, that they are qualified.

Schaap shouldn't be publishing lists of CIA agents. But it shouldn't require another qualification of the First Amendment to prevent him from doing it.

Some members of Congress have developed a unique blindness to the Constitution. The document has withstood enough assault from the courts. In its zeal to protect the CIA, the Congress appears willing to accept a tired, specious argument once offered by a besieged president who proclaimed that the nation's security depended on executive secrecy and privilege.

*Steve Auslander*

THE CHRONICLE OF HIGHER EDUCATION  
February 1980

# Senate's Plan to Reform CIA Fails to Ease Scholars' Fears

By Anne C. Roark

WASHINGTON

The Central Intelligence Agency would be prohibited from using U. S. universities as cover for its covert operations under a new charter for the agency proposed in the Senate last week.

Although the measure would impose some new restrictions on C.I.A. operations, it also would free the agency from other restraints—a move that some scholars and students fear could endanger the integrity of some academic research.

Perhaps the most controversial part of the bill, S 2284, is one that would exempt the C.I.A. from the Freedom of Information Act, a law that gives journalists, scholars, and other interested persons access to government documents.

## 'Voluntary Contacts' Permitted

The bill also would continue the controversial policy of allowing "voluntary contacts" and "voluntary exchange of information" between individual faculty members and intelligence agents.

Introduction of the new intelligence charter, the first in 33 years, came just after the American Association of University Professors wrote the White House expressing its continuing concern over revelations of C.I.A. involvement in possibly illegal operations on university campuses.

The proposals for reform "do not address the problems" that colleges and universities have faced in the past with C.I.A. intrusion, said Alfred D. Sumberg, the A.A.U.P.'s director of government relations.

In 1976, a Senate intelligence committee, headed by Sen. Frank Church, Democrat of Idaho, reported that the C.I.A. had been using several hundred university scholars to write intelligence propaganda and to provide information on overseas intelligence operations.

More recently, newspaper investigations of C.I.A. activities during the 1960's and 1970's turned up instances of campus spying on student protesters and civil-rights workers and of efforts to use university researchers—often unwittingly—in mind-control experiments.

## 'Mockery of Reform'

Mr. Sumberg said his organization's concerns remained substantially the same as they were four years ago, when the association passed a resolution expressing concern about "any initiative to involve academics in covert intelligence operations under the guise of academic research."

Thirty-five other groups—including the United States Student Association and the Association for Arab American University Graduates—wrote to President Carter following his State of the Union address last month, in which he called for a loosening of restraints on the activities of U. S. intelligence agencies.

"Such actions," the groups said, "would make a mockery of your stated commitment to intelligence reform."

Earlier this month, the Campaign for Political Rights, a Washington-based clearing-house on intelligence activities, drafted a letter to be sent to the Senate and House intelligence committees objecting specifically to the provisions in the reform bill that would exempt the C.I.A. from the Freedom of Information Act.

"Because of the central role which the C.I.A. has played in this country's foreign relations in the post-World War II period, its files are an important resource for historians, political scientists, and others," the draft said.

"C.I.A. documents released under the [Freedom of Information Act] have contributed to a substantial and growing body of serious historical and journalistic works," the letter added.

## Fate of Reforms Unclear

How the reforms will fare on Capitol Hill is unclear.

Three years in the making, the proposed National Intelligence Act of 1980 was introduced by some powerful lawmakers: Senators Walter D. Huddleston, Democrat of Kentucky, and Charles McC. Mathias, Jr., Republican of Maryland, the senior members of the intelligence committee's Subcommittee on Charters and Guidelines. Joining them were Senators Barry M. Goldwater, Republican

of Arizona, and Birch Bayh, Democrat of Indiana.

In a letter to the panel on February 8, President Carter said "substantial agreement" had been reached between the White House and the Senate committee on the provisions in the proposed charter, despite the White House's earlier plans to draft its own version of the reform bill.

In the wake of the Soviet invasion of Afghanistan and the takeover of the U. S. embassy in Iran, the Carter Administration and many lawmakers, particularly in the House of Representatives, were said to favor the removal of more restrictions on the intelligence community than the Huddleston bill would permit.

Among the issues to be settled during hearings on the bill later this month are how many Congressional committees should have jurisdiction over intelligence matters (the C.I.A. now reports to seven committees) and whether or not those committees should be notified in advance of major covert operations. University representatives are expected to express their opposition to covert activities on campuses.

The fate of the new charter is complicated by the fact that strong bipartisan support has grown recently for a less radical C.I.A.-reform measure introduced earlier by Sen. Daniel Patrick Moynihan, Democrat of New York.

The Moynihan bill, S 2216, is more narrowly focused on removing "unnecessary restraints" on the intelligence community and does not address itself to many of the issues that the charter raises.

## Bill to Govern FBI

Another bill, expected to be introduced shortly in the Senate, would govern the Federal Bureau of Investigation and other domestic intelligence operations. Although it may have some effect on universities, many campus representatives say they are not interested in the measure because they feel their institutions have not been the target of F.B.I. probes since the civil-rights demonstrations and anti-war protests died down in the mid-1970's.

"But you just don't know," said an A.A.U.P. official. "The thing about covert operations or investigations is

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they are just that—covert—so you don't know for certain what is going on or where it is happening."

As a result of concern about covert C.I.A. operations, some university faculties have tried to set up their own restrictions on intelligence activities.

Harvard University was the first to adopt guidelines, which prohibit the use of faculty members or administrators as secret recruiters or intelligence "operatives."

A campaign by opponents of the intelligence agencies' campus activities has resulted in the adoption of similar restrictions at 11 other institutions. The Campaign to Stop Government Spying lists another two dozen campuses where guidelines are under consideration.

The campaign also has encouraged student groups to investigate C.I.A. activity on campuses and to protest further involvement by the intelligence community.

Ralph Nader's consumer advocates also joined the effort to expose C.I.A. activities by filing a suit against the agency asking for release of the names of all the institutions and individuals involved in MK-ULTRA, a project involving mind-control ex-

periments in the 1960's and 1970's. Although a federal judge here ordered the release of the names, the C.I.A. is now appealing the decision.

Despite the efforts against such C.I.A. activities, many university officials say their campuses are so quiet that the subject of C.I.A. infiltration has not even been broached.

Where there have been discussions of restricting the C.I.A., many faculty members voice strong objections, arguing that such restrictions deprive scholars of their academic freedom, as well as their constitutional right to associate with whom they please.

#### CIA Opposes Restrictions

Even where such restrictions exist, the C.I.A. has made it clear that it will not honor them.

In a series of exchanges over the past year with President Derek C. Bok and other Harvard officials, C.I.A. Director Stansfield Turner criticized such restrictions.

Mr. Bok defended them, saying that no other business or government organization recruited professors for covert missions, for unusually hazardous assignments, or for activities that might be illegal under the laws of another country.

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NEW YORK TIMES  
24 FEBRUARY 1980

## Churches Want C.I.A.'s Charter To Bar Any Use of Missionaries

WASHINGTON, Feb. 23 (UPI) — Reports that the Carter Administration wants to ease proposed restrictions on the Central Intelligence Agency's use of missionaries is meeting resistance in the nation's religious organizations.

The National Council of Churches, made up of 32 Protestant and Orthodox denominations, passed a resolution at a meeting in New York this week urging Congress to prohibit such use of missionaries. It asked Congress to make sure that the new agency charter includes "explicit prohibitions against recruiting or employing members of the clergy or church workers—American or foreign—as informants or agents in any capacity at home or abroad."

The council also requested a ban on C.I.A. personnel impersonating clergymen or church workers or establishing proprietaries purporting to be churches, church agencies, or religious organizations.

News reports have indicated that the White House would like to avoid a flat prohibition against the use of clerics, journalists and academics as intelligence agents or sources.

ARTICLE APPEARED  
ON PAGE A-9WASHINGTON STAR  
23 FEBRUARY 1980

# Religious Groups Oppose FBI, CIA Clergy Contacts

By John Novotney  
Special to The Washington Star

The American religious community is protesting Carter administration proposed charters which would allow the Federal Bureau of Investigation and the Central Intelligence Agency to use clerics as undercover agents or informants.

Legislation to create an FBI charter specifically authorizes the Bureau to solicit clergymen, journalists, attorneys and physicians to act as informers.

The National Intelligence Act of 1980, introduced earlier this month in the Senate, does not prohibit "voluntary contacts" or the "voluntary exchange of information" by "any person and any entity of the intelligence community" with "any U.S. religious organization," among others.

This bill would affect all U.S. agencies involved in intelligence gathering, including the Defense Intelligence Agency and the National Security Agency.

Current CIA guidelines prohibit the paid or unpaid use of clerics as informers or undercover agents, but this can be waived at the discretion of the CIA director.

Furthermore, the National Intelligence Act of 1980 would permit the president to waive the provision prohibiting CIA agents from posing as clerics, journalists, and so on, "during any period in which the U.S. is engaged in a war declared by an act of Congress."

The executive committee of the National Council of Churches, an umbrella-group of 32 Protestant and Orthodox denominations, has opposed the recruitment, employment or impersonation of missionaries, members of the clergy or church workers by members of intelligence agencies.

Rev. Dean Kelley of the NCC said:

"The churches have been especially concerned about the misuse of their clergy for law-enforcement purposes by federal intelligence agencies."

But, he said, "In asking that the churches and their employees be placed 'off limits' for the FBI as informants, we do not wish to imply or suggest that they are otherwise 'outside the law' or relieved of the general responsibility of all citizens to uphold the laws and to assist in the prevention of crime and the apprehension of criminals . . .

"All that is sought here," he said, "is to rule out the use by the FBI, or even the appearance of use, of the church or church workers as instruments of law enforcement."

Rev. John Adams of the United Methodist Church's Board of Church and Society, said "As a clergymen, I want you to know that no violation of an ordinance, no exploitation of a pastoral relationship and no flexible

phrasing of any proposed legislation can possibly justify or provide an ethical basis for the intrusion of intelligence forces upon the confidences which are shared within the spiritual context."

William Thompson, stated clerk of the United Presbyterian Church in the U.S.A., expressed "deepest concern" regarding provisions of the proposed charter allowing FBI agents to solicit clerics as informants or undercover agents.

"The confidentiality of communications with the clergy, whether in the confessional or at the counseling desk, must be maintained if the minister, priest or rabbi is to be able to perform the religious and spiritual functions required by the community of faith of that person," he said.

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AFGHANISTAN

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DAILY WORLD  
22 FEBRUARY 1980

# Name CIA men in Afghanistan

By TIM WHEELER

WASHINGTON, Feb. 21 — The CIA began a program of armed intervention in Afghanistan at least one year before Soviet troops ever entered that nation it was charged today, by a prominent Washington magazine that specializes in information on the spy organization.

To back up its charges, the magazine "Counter Spy" published names of prominent CIA operatives involved in the armed activities. "Counter Spy" has itself made national news over the past years for its articles which have reliably named prominent CIA operatives in various nations around the world.

Konrad Ege, an editor of the magazine and author of an article in its December issue titled, "U.S. Intervention in Afghanistan" told the Daily World today that his research shows that for well over a year a special CIA task force under the command of CIA agent Robert P. Lessard has conducted counterrevolutionary activities against Afghanistan using the U.S. Embassy in Islamabad, Pakistan as its headquarters.

Ege's charges cast a light on President Carter's drive to establish a new anti-Soviet, anti-national liberation war alliance in the Persian Gulf, with the U.S., China, Israel, Saudi Arabia and Pakistan supplying arms to the so-called Afghan rebels.

Carter lied

Ege said the Carter Administration is lying when it says CIA covert operations are a response to the movement of Soviet troops in Afghanistan last December. "The point of our story is that the U.S. involvement in Afghanistan is at least one year old — far longer than the Soviet troop presence in Afghanistan," he said.

In a press release issued yesterday, Ege had charged that "it is important to note that these CIA operations were in support of Afghans violently oppos-

ing progressive improvement for their fellow citizens, such as needed land reform and equality for women."

He charged that Lessard was a CIA undercover agent in Iran for 10 years, an exceptionally long period, during which the CIA tutored SAVAK, the Shah's secret police, in torture techniques and other methods of mass terror.

Lessard, Ege continued, also was assigned to the U.S. Embassy in Kabul, Afghanistan before the April, 1978 democratic revolution. Lessard has been assigned to Pakistan since July 1977.

## Names CIA officers

Other CIA officers in Pakistan include John J. Reagan, David E. Thurman (both in Islamabad) and Richard D. Jackman (in Karache).

Ege pointed out that the State Department and the Pentagon have met with Ziya Nezri, a U.S. citizen of Afghan nationality, "who is one of the leading figures of the reactionary forces which began fighting the Afghan government in 1978."

Another, "rebel leader" Zia Nessery, is a U.S. citizen who has received support from the Rockefeller funded Asia Society, Ege said. Bashir Zikria, a principal organizer of the counterrevolutionary commandos is a professor at the Columbia University College of Physicians and Surgeons and "commutes" to Pakistan, Ege charged.

"These facts prove that the U.S. government is deeply involved in the internal war of the Afghans," Ege continued. "U.S. governmental support for them not only violates national sovereignty and international law but also U.S. law," he said.

## Against the law

He cited Section 960, Title XVIII, of the U.S. code which prohibits "any military or naval expedition or enterprise to be carried out from thence against the territory or dominion of any foreign prince or state..."

Ege continued, "Obviously the people of the United States have a right and a need to know of the U.S. governmental support for the so called, 'Afghan rebels' particularly since in their name and with their taxes a 'secret' war is being carried out...such CIA operations ultimately undermine the interests and national security of the U.S. people by bringing us all closer to war."

Ege's article also charges that the U.S. Drug Enforcement Agency has a team working in Pakistan. Ege pointed out that the DEA, "has rarely limited itself to 'pure' prosecution of drug traffickers."

Ege referred to a recent article in the Canadian magazine "McCleans" that Afghan rebels have been purchasing arms from the U.S. with massive deliveries of heroin. The same "McCleans" article said Chinese men in Pakistan, first identified as "Hong Kong Chinese heroin dealers", later turned out to be "Chinese army officers and instructors" sent by the Beijing clique. Their aim was to train the so called "Afghan rebels" in subversion and mass murder. In either case, the Afghan rebel heroin is now reportedly reaching the streets of U.S. cities in massive quantities.

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Ege's detailed charges that the CIA has been waging a secret war against the Khalk (People's) party of Afghanistan since the 1973 coup which ended the 40 year dictatorship of King Mohammad Zaher Shah. The U.S. unleashed a determined drive, he said, to lure the Daoud regime into "a Western tilted, Tehran centered regional economic and security sphere, embracing Pakistan, India, and the Persian Gulf states..."

Carter's recent moves toward replacing the disbanded "CENTO" alliance indicates that these maneuvers are still going on.

Hatchetman for the U.S. in this operation, Ege said, was Shah Mohammad Reza Pahlevi, who offered \$2 billion in aid to Daoud "under conditions that Daoud crack down further on the Khalk and Parcham parties," Ege said.

#### Kidnapping of Dubs

Ege also charged that the kidnapping of Adolph Dubs, U.S. Ambassador to Afghanistan on February 14, 1979 by fanatical Muslim extremists may have been a provocation by the U.S. government.

The kidnapping and subsequent slaying of Dubs, Ege pointed out, was used by President Carter as a pretext for the highly orchestrated destabilization program directed against the Afghanistan democratic revolution. This operation is similar to the CIA's covert war against the democratically elected government of Salvadore Allende in Chile.

He warned that Carter is determined as ever to reestablish "a successor to CENTO." He added that "for an alliance like that, it would be helpful to have a government friendly to the U.S. in Afghanistan. Besides that, Afghanistan would be an excellent place for intelligence stations aimed at the Soviet Union."

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THE NEW YORK DAILY NEWS  
26 February 1980

# Afghan 'puppets' falling to pieces

Kabul, Afghanistan (AP)—The Soviet-backed government appeared yesterday to have virtually broken down in the face of strikes and violence protesting the Russian presence in Afghanistan. Medieval sources said that more than 300 civilians had died in street-fighting.

Striking civil servants and office workers ignored repeated official broadcasts ordering them to return to work, and Afghan government ministries still were paralyzed. A general strike of shopkeepers continued into its fifth day.

Heavily armed Soviet and Afghan troops, backed by armed civilian members of the ruling Khalq (People's) Party, patrolled throughout the city.

**Under martial law**  
The still-unidentified Soviet military commander in Kabul was, in effect, acting as head of the government under the martial law proclamation issued Friday placing him in charge.

Fighting that raged in Kabul on Friday slowed to sporadic firing Sunday night. Tass, the official Soviet news agency, said yesterday that "life in Kabul is now gradually coming back to normal" and charged that an "armed sortie of agents trained by the special services of Western countries led by the CIA" was responsible for the eruption of heavy street-fighting.

An AP reporter and another Western correspondent in Kabul, who scaled the

wall outside their guarded hotel on Sunday, observed the effectiveness of the general strike, destruction from the street-fighting, and heavily armed patrols.

Soviet soldiers in heavy T-55 and T-62 tanks stood guard at the airport, at key bridges over the Kabul River, at the Russian civilian "ghetto" of Microrayon and at the approaches to the Soviet Embassy and government and Khalq Party offices.

Afghan armored cars cruised with heavy machine guns trained at the heads of pedestrians. Civilian members of the Khalq Party, carrying Kalashnikov automatic rifles, set up roadblocks, searched homes for arms and made arrests.

In an area where fighting was heavy on Friday, a six-story house had crumbled after being hit by tank shells and the street was strewn with the charred wreckage of trucks and cars.

The Jamil Hotel was closed, its front door secured with an iron chain. An official said authorities there found 17 Pakistanis who, they charged, started the uprising with the help of the CIA.

In the Kabul Hotel, generally used by Soviet and East European official visitors, Soviet soldiers on guard in the lobby and on each staircase landing appeared to outnumber guests.

## The man on the street

In the heart of the old city, out of sight of troops, Afghans surrounded the AP correspondent and expressed contempt for the Soviets and what they called the Afghan "puppet" regime.

They applauded an old man who said: "Please tell people in the West that we will go on killing the Russians as long as a single one remains here."

A short time later, the two reporters were seized by a youth with a submachine gun who marched them into the nearby local party offices, repeatedly sticking the weapon into their backs on the way.

Once they were inside the offices, however, an official sitting under a portrait of Lenin apologized, explaining that the youth could not read the reporters' passports.

ARTICLE APPEARED  
ON PAGE A1-16

THE WASHINGTON POST  
26 February 1980

## Myriad Rebel Units Confound Aid Donors

By William Branigin

Washington Post Foreign Service

Afghanistan's Soviet-supported puppet government under Babrak Karmal now appears to face a greater threat from a popular urban insurgency than from the politically divided Islamic guerrilla groups that have become the focus of aid efforts by outsiders, including possibly the Central Intelligence Agency.

The rash of anti-Soviet demonstrations and the general strike that have catapulted the citizens of Kabul into the forefront of the opposition to Afghanistan's communist authorities in recent days indicate a greater degree of organization and unity than the guerrillas have yet been able to muster.

The main Pakistan-based Afghan rebel groups, most of which subscribe to the kind of uncompromising Islamic fundamentalism advanced by Iran's Ayatollah Ruhollah Khomeini, are so fragmented and uncoordinated that the CIA and other aid donors face a dilemma in trying to decide whom to help, and what results to expect from that help.

To attack a given target inside Afghanistan, these groups must often negotiate their way into an area controlled by one of the more than 60 other rebel groups estimated to be operating throughout the country.

The most prominent rebel groups have only a facade of unity. And they appear to have had no major active following in Kabul, where protests are rocking the government installed in a Dec. 27 Soviet-engineered coup.

While the Kabul protests undoubtedly serve the rebel groups' aims, it is doubtful that any of them were actually involved in organizing the actions.

In fact, interviews in Afghanistan and Pakistan last month with local and foreign officials and with Afghan rebel spokesmen and refugees indicated that the various established rebel groups often have little, if any, control over guerrilla activities in the Afghan provinces. Much of the insurgency there evidently consists of spontaneous uprisings against the government by small, local bands.

Reliable sources have said the CIA has begun supplying weapons—mostly Soviet-made small arms and simple antitank guns—to Afghan rebel forces, although it is not known precisely to which groups or tribes these arms are going.

The weapons will certainly be welcomed. Many Afghan refugees interviewed in Pakistan recently complained that they lacked enough guns and ammunition to carry on their battle against Soviet and Afghan government troops and needed modern arms.

For U.S. policymakers trying to decide whether and how to meet such appeals, however, the plurality of groups and their dubious followings make covert arms supply operations a risky venture with uncertain returns.

An Afghan government report last year identified no fewer than 64 semi-independent rebel groups in the country.

"Whom do you help?" a Western diplomat in Kabul asked last month shortly after the coup and invasion gave the dilemma new urgency.

Among the choices are eight relatively organized rebel groups based at Peshawar in western Pakistan about 25 miles from the Afghan border post on the road to Kabul through the Khyber Pass and the Kabul Gorge.

Of these, six are considered to be serious guerrilla groups with at least some fighting capability in Afghanistan. All espouse Islamic ideologies, with varying degrees of religious zeal.

So far these six groups have fashioned only a superficial unity, presenting themselves as the United Islamic Liberation Front of Afghanistan at last month's Islamic Conference in Pakistan to improve their prospects of attracting Arab oil money and weapons.

However, the groups still have no unified forces or command and remain split by political differences in their Islamic approaches to government, class and family connections and personality clashes among their leaders.

Among the six main rebel leaders are the former Afghan director of an Islamic institute in Copenhagen, the wealthy owner of a big automobile dealership in Kabul and a 34-year-old former engineering student at Kabul University.

The latter, Guluddin Hekmatyar, heads what is probably the largest and best organized of the various groups, the Hezbi Islami, or Islamic Party of Afghanistan. It is also the most extreme Moslem fundamentalist group, with a published program calling for Moslem women to be veiled in public and "an open public resistance to un-Islamic ideas and practices."

A little green booklet outlining the party's aims also calls for separate education for girls, a "national uniform for state officials as against western dress" and a ban on "drinking, adultery, obscenity, gambling and other immoral practices."

These proposals do not always go over too well in the Afghan capital, where many opponents of the government are somewhat more cosmopolitan Afghans who want a democratic government free of foreign domination.

Two other rebel leaders based in Peshawar have better religious credentials than Hekmatyar and may have bigger personal followings among tribesmen in Afghanistan. But they are understood to be more influenced by Western democratic ideals.

One is Seyed Ahmad Gailani, the leader of the United Islamic National Revolutionary Council of Afghanistan. The other, Sibghatullah Mujaddedi, heads the Afghan National Liberation Front.

Both men hold the hereditary religious title of Pir, a kind of Moslem saint, and command great respect in their home areas.

However, Gailani's religious credentials reportedly have been tarnished somewhat by his preoccupation before the Communist takeover with his Peugeot dealership in Kabul. Gailani also has been accused of having close ties with Afghanistan's former monarch, King Zahir Shah, who was ousted in a 1973 coup and had been opposed by some of the rebel leaders, notably Hekmatyar.

Mujaddedi, the nephew of a leading religious figure, the Hazrat of Shor Bazar, formed his rebel group in July 1978 in Copenhagen, where he was living in exile after having been jailed under the government of President Mohammed Daoud. Daoud, who had overthrown the monarchy in 1973, was killed in the April 1978 coup that brought a succession of Communist governments to power in Kabul.

Two smaller guerrilla groups include the Jamiat Islami led by Burhanuddin Rabbani and the Harkati Engelabi Islami headed by Mohammed Nabi. Rabbani, a former professor in Kabul, was chosen as the representative of the united front that attended the recent Islamic Conference in the Pakistani capital. Nabi holds the Moslem religious title of maulvi.

Probably the most effective rebel organization, according to analysts in Pakistan, is an offshoot of the Hezbi Islami led by an energetic mulah named Younis Khalis.

"He's the most credible as a guerrilla because he actually fights on the other side (of the border)," one Pakistan-based diplomat said. Analysts believe Khalis has been responsible for much of the recent fighting around the city of Jalalabad in eastern Af-

Afghanistan, especially in his home area of Kugiani southwest of the city. But he is said to have no following outside the area.

Khalis formed his breakaway Islamic Party faction when he refused to go along with a short-lived coalition formed last April by Hekmatyar, Rabbani and Mujaddedi. Ironically — and perhaps typical of the vagaries of the different groups — Khalis later entered into unification discussions himself with Nabi, Mujaddedi and Rabbani.

While some rebels operating in eastern Afghanistan near the Pakistani border have claimed to be allied to one or another of the exile groups, these organizations evidently have little or nothing to do with insurgents in central, western or northern Afghanistan.

When they do try to organize a guerrilla operation in Afghanistan, Western analysts say, most of the groups deal with local tribal leaders.

For example, if a group wants to blow up a bridge or attack some other target, it will send a representative overland across the border to find the area's tribal chief and persuade him to carry out the task, the sources say. The local leader in turn usually demands some kind of recompense — guns, money or food — and may play one exile group against the other to get the best possible deal.

The insurgency in such cases thus becomes guerrilla war by negotiation, the analysts say.

Another potential pitfall for anyone trying to decide whom to aid in the current struggle is a proliferation of less than reputable characters purporting to be guerrilla leaders with sizeable followings.

One Afghan recently arrived at a diplomat's office in Pakistan with a number of large plastic sacks containing petitions that he claimed showed the affiliation of 8 million Afghans — about two thirds of the population — to a royalist party he had formed.

On the petitions were a seemingly interminable series of thumbprints representing the signatures of illiterate Afghans.

"But you didn't have to be an expert to see that the thumbprints all belonged to the same guy," the diplomat said.

ARTICLE APPEARED  
ON PAGE A1-16THE WASHINGTON POST  
26 February 1980

# Kabul Paralyzed As People Scorn Orders to Work

## Soviet Commander Reportedly Governs

By Michael Goldsmith

Associated Press

**KABUL, Afghanistan, Feb. 25** — Striking civil servants and office workers protesting the Soviet Union's December invasion ignored repeated official broadcasts ordering them to return to work in Kabul today, and Afghan government ministries were paralyzed for a third day.

A general strike of shopkeepers continued into its fifth day.

Heavily armed Soviet and Afghan troops, backed by submachine gun-toting civilian members of the ruling People's Democratic Party, maintained patrols throughout the city.

There were indications the Soviet military commander in Kabul was, in effect, acting as head of the government.

[In Washington, State Department spokesman Hodding Carter said Monday that most Afghan civil servants had returned to their jobs but that the shopkeepers' strike was continuing. He said fighting was still going on in parts of Kabul.]

Reports from elsewhere indicated fighting that raged in Kabul on Friday, killing a reported 300 or more persons, had slowed considerably.

Tass, the official Soviet news agency, said that "life in Kabul is now gradually coming back to normal," and claimed an "armed sortie of agents trained by the special services of Western countries led by the CIA" was responsible for heavy street fighting that erupted last Friday.

A Kabul Radio report monitored in Islamabad, Pakistan, said "the citizens of Kabul have returned to their work and all shops in the city remained open." But diplomatic sources disputed the report and said the strikes were continuing.

Kabul Radio also reported the arrest of six more alleged Pakistani infiltrators in its growing campaign to demonstrate that the recent anti-Soviet fighting was directed from abroad, Reuter reported. Sixteen Pakistanis and a man alleged to be an American CIA agent were reportedly arrested earlier.

The broadcast said President Carter signed the order for the arming of the "killers and mercenaries" sent to Kabul to cause bloodshed Feb. 20, the eve of Carter's deadline for a Soviet troop withdrawal from Afghanistan.

I and another Western correspondent in Kabul observed the effectiveness of the general strike; destruction from the street fighting and heavily armed patrols after scaling the wall outside the guarded Kabul Intercontinental Hotel Sunday. Foreign journalists in Kabul have been under orders not to leave their hotel in recent days.

We found only a few stores open, and those were the ones selling perishable foodstuffs.

Soviet soldiers in heavy T-55 and T-62 tanks stood guard at the airport, at key bridges over the Kabul River, at the Soviet civilian residential section of Microrayon and at the approaches to the Soviet Embassy and government and People's Party offices.

Afghan tanks and armored cars patrolled the streets and guarded large intersections, and several Afghan armored cars cruised with heavy machine guns trained at the heads of pedestrians.

Civilian members of the People's Party, carrying Kalashnikov submachine guns, helped control crowds, set up road blocks, searched private homes for arms and made arrests. Reliable informants said the Afghan government appeared to have little control over the party militia — or anything else.

The martial law proclamation issued Friday placed the still-unidentified Soviet military commander in charge, and Soviet and Afghan troops apparently were put under a joint command in the face of the continuing rebellion.

That gave the Soviets the last word on all military and civilian matters affecting Afghanistan.

President Babrak Karmal, who took power in a Soviet-backed coup on Dec. 27, has not been seen in public in three weeks. Unconfirmed reports said he took refuge in the heavily guarded Soviet embassy during fighting that medical sources said resulted in the deaths of 300 civilians and an undetermined number of Afghan and Soviet troops.

In an area of the city where fighting was heavy Friday, a house had crumbled after being hit by tank shells. Nearby, workmen removed the charred wreckage of trucks and cars.

A People's Party bookshop near the municipal building was wrecked by rioters.

The Jamil Hotel, near the municipal building, was closed and its front door secured with an iron chain. An official said authorities there found 17 Pakistanis, who, they claimed, started the uprising with the help of the CIA.

In the Kabul Hotel generally used by Soviet and East European official visitors, Soviet soldiers on guard in the lobby and on staircase landings appeared to outnumber guests.

In the heart of the old city, out of sight of troops, Afghans surrounded me and expressed contempt for the Soviets and what they called the Afghan "puppet" regime.

They applauded an old man who said: "Please tell people in the West that we will go on killing the Russians as long as a single one remains here."

A short time later, we were seized by a youth with a submachine gun who marched us into the nearby local party offices, repeatedly sticking the weapon into our backs on the way.

Once we were inside the offices, however, an official sitting under a portrait of Lenin apologized, explaining that the youth could not read our passports.

We returned to our hotel before the 8 p.m. curfew.

ARTICLE APPEARED  
ON PAGE A140THE WASHINGTON POST  
23 February 1980

# DEFECTOR

## *Afghan Sent to Defend Regime Assails Soviets at U.N. Forum*

By Michael J. Berlin  
Special to The Washington Post

UNITED NATIONS, Feb. 22—An Afghan Foreign Ministry official, sent here to defend his government at a special meeting today of the nonaligned nations called to discuss Soviet interference in Afghanistan's internal affairs, instead denounced the Soviet invasion of his country and defected on the spot.

The nonaligned group then voted by acclamation to have its chairman—the Cuban ambassador—cable Kabul with a humanitarian appeal for the safety of the wife, four children, three sisters and mother left behind by 33-year-old Abdul Rahim Ghafoorzai.

The action today stunned diplomats from about 90 nations, who had gathered behind closed doors expecting to hear the Soviet presence defended by Ghafoorzai, an 11-year career diplomat who was deputy director of the International Relations Department in the Afghan Foreign Ministry.

Speaking to reporters after the meeting, he said he had not yet decided whether he would seek to stay in the United States, go elsewhere or "join all my compatriots who are in the liberation struggle."

Ghafoorzai said his decision was prompted during his trip with Afghan Foreign Minister Shah Mohammed Dost to Moscow, where he realized that Soviet forces

were not in Afghanistan as a result of a request made by our government."

It was then, he said, that "I decided to express the views of my people. I realize my statement here would have more weight" than any action he might take in leaving Kabul quietly, even though that might provide more protection for his family.

Ghafoorzai conceded that the pro-Soviet coup in 1978 "involved some reforms which had the support of the Afghan people." He said that coup had been supported by Moscow.

But by now, he said, "Even the Soviet Union realizes it cannot convince the world it is there because of imperialist intervention, and the liberation struggle under way will convince the Russians to withdraw."

He said he had no personal knowledge about the circumstances surrounding the death of former president Hafizulla Amin in late December, when Soviet troops moved to topple his government and install Babrak Karmal. But he said that the situation in Kabul now is that "the Afghans are not governing themselves."

He confirmed reports of widespread attacks on Soviet soldiers in the cities of Afghanistan, citing one incident shortly before he left last Friday in which four to six Soviets were killed in the capital.

In a speech delivered to the nonaligned group, he reportedly chided that movement for failing to speak out and "take prompt action against an invasion by a superpower." The meeting had long been sought by Pakistan and other members of the group who wanted to put the nonaligned nations on record against the Soviet invasion. It had been delayed by the Cubans, but was finally scheduled for this week.

Ghafoorzai sat silently by two days ago during a bitter procedural wrangle over the agenda of the nonaligned meeting, according to diplomats who were there, and finally spoke out today after Pakistan introduced the subject.

Aside from the cable on behalf of Ghafoorzai's family, no decision was taken at today's meeting, and the nonaligned nations will continue their debate Monday.

ARTICLE APPEARED  
ON PAGE 34-35TIME  
3 March 1980

AFGHANISTAN

# Deeper into the Quagmire

*Civilian protests confront the Soviets with a fierce new challenge*

**W**e have won a great victory. We have shown the Russians what the Afghan people think of them." So said a belligerent Kabul merchant, exulting over the mass anti-Soviet protests that rocked the Afghan capital last week. The unrest was reported to have spread to six provinces, from Kandahar in the south to Baghlan in the north, and the Soviets were facing the most serious challenge to their two-month-old occupation of Afghanistan, which has brought them worldwide condemnation.

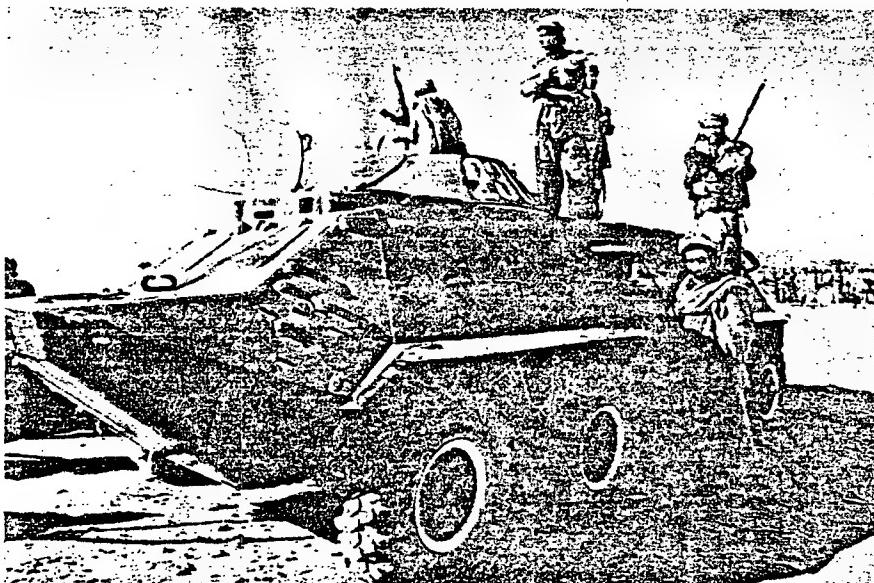
The floundering Kabul government of Party Boss Babrak Karmal was ordered

to clamp martial law and a dusk-to-dawn curfew on the capital. Soviet troop reinforcements were rushed into the city to put down growing disturbances. Nonetheless, firefights that caused at least 50 casualties broke out in several parts of the city. As rebel leaders threatened to mount a full-scale attack on Kabul in March, intelligence officials in Washington could scarcely contain their glee at the Soviets' discomfiture. Said one defense analyst: "They've really got their feet in the quagmire."

The general strike and accompanying demonstrations represented the first time that Afghan civilians had joined

the armed rebels in standing up to the Soviets. From Moscow's viewpoint, it was thus an ominous warning that the resistance could develop into a general uprising throughout the country. Moreover, the civilian protests accompanied other intelligence reports that Karmal's dissension-racked puppet regime was on the verge of collapse. Overall, the Soviets appeared to be up against a dismal strategic reality: to suppress both the insurgency and civil disobedience, they might have to remain in the country far longer than they had perhaps intended, and they could be forced to bring in as many as 50,000 more troops to retain control of the cities and highways.

The Kremlin's concern over the fierce new challenge inside Afghanistan was apparent in a policy pronouncement made last week by Soviet President Leonid Brezhnev. Accusing Washington of "hysterics" and of "circulating the lie about the war of the Russians against the Afghan people," Brezhnev reiterated Moscow's claim that it had been invited into the country under the terms of a Soviet-Afghan treaty. Said the Soviet President: "The U.S. loudly demands the withdrawal of Soviet troops but in fact is doing everything to put off this possibility; it is continuing to build up its interference in the affairs of Afghanistan." In a direct attack on Jimmy Carter, he declared: "The anti-Soviet hysteria was needed for somebody riding the crest of this wave to win the presidential election in the autumn." But then, in what may have been a subtle deviation from the Kremlin's hitherto intransigent line, Brezhnev made the point that the Soviets would withdraw their troops



Afghan rebels atop captured Soviet personnel carrier  
A dissension-racked puppet regime and a dismal strategic reality.

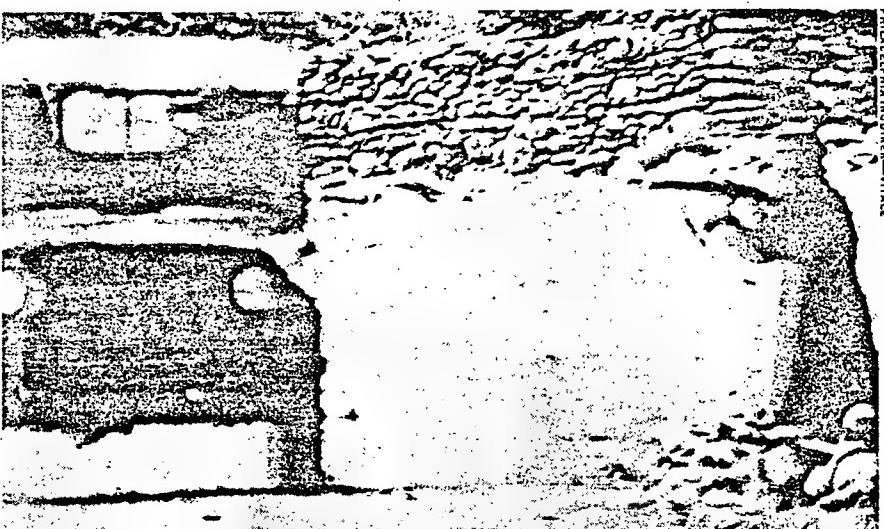
CONTINUED

when outside interference is "permanently terminated."

With MiG-21s buzzing low overhead, and the sound of sporadic gunfire echoing across scattered parts of the city, Kabul was described by foreign residents as being "in the grip of crisis." From the shopping streets of the Shari-i-Nao district to the alleyways of the Shorbaazar in the Old Quarter, thousands of shopkeepers had first closed their doors on Thursday to dramatize their resentment against the Soviet invaders. Shouting anti-Soviet epithets and antigovernment jeers, the merchants repeatedly defied attempts by Afghan police to force them to reopen their shops. When thousands of other citizens poured into the city center to support the merchants, they launched a series of vehement protest marches. Green Islamic banners were unfurled as marchers snaked through the shuttered streets with cries of "God is Great!" and "Death to the Soviets!"

Convoys of Soviet armored personnel carriers, which had been kept discreetly outside the city, rolled into the downtown area. Squads of armed infantrymen, who had been patrolling only at night, stood guard around government buildings during the day. According to the martial-law decree, all residents of Kabul were ordered to surrender firearms to the police within 24 hours; violators would be taken before "military-revolutionary" courts. A TASS dispatch from Kabul explained that the Interior Ministry had ordered the martial law and curfew in response to "plunder and arson" by Muslim insurgents and what it called "foreign agents, mercenaries and stooges."

U.S. intelligence analysts said that the strike apparently resulted from a well-coordinated plan



Soviet vehicle stops as Afghan guerrilla takes aim with AK-47 assault rifle



Arms raised, the luckless prisoner surrenders



Three other rebels close in on disarmed soldier before leading him away  
An execution followed the evening ritual of prayers and ablution.

among several different resistance groups, although the identity of the organizers was unknown. The strike had been triggered by the circulation of printed leaflets throughout Kabul, urging shopkeepers to join in a "unanimous condemnation" of the Soviet invasion. Next day, as though by pre-arranged signal, the strike spread to at least ten cities and towns across the country.

In a stunning turnabout at the United Nations, meanwhile, a Kabul official sent to defend his government before a special meeting of the nonaligned countries defected instead and denounced the Soviet "occupation." The 33-year-old career diplomat, Abdul Rahim Ghafoorzaï, dramatically declared his support for his "compatriots in the liberation struggle."

The ferocity of Afghan resistance to Soviet rule was shown in a remarkable pictorial report of a rebel ambush—and the subsequent execution of a hapless Soviet prisoner—that appeared last week in the Philadelphia *Inquirer*. Richard Ben Cramer, a staff reporter for the *Inquirer*, and Italian Photographer Salvatore Vitale spent eight days accompanying Muslim rebel units in the mountains near the Pakistan border. They were witnesses when a rebel patrol spotted a Soviet vehicle traveling cautiously through a gully, raked it with automatic weapons fire and killed the driver. His passenger, a lieutenant in his late 20s, was taken prisoner.

The captive was trussed with a gun strap and dragged into the hills along with the patrol. That evening, according to Cramer, the rebels washed themselves, as Islamic ritual requires them to do, and knelt on their blankets and faced southwest toward Mecca to pray. Then, near an outcropping of rock, they shot the prisoner. When asked how the rebel leader had justified the killing, one of his followers explained: "He said this man was not Muslim." ■

ARTICLE APPEARED  
ON PAGE A14THE WASHINGTON POST  
24 February 1980

# Heavy Casualties Reported in Anti-Soviet Afghan Protests

By William Branigin  
Washington Post Staff Writer

Soviet and Afghan army troops enforced martial law restrictions yesterday in the Afghan capital, Kabul, to contain a budding insurrection by anticommunist demonstrators after clashes Friday that reportedly caused hundreds of civilian casualties.

Soviet helicopters and MiG jet fighters buzzed the capital for the second straight day to discourage demonstrations, and occasional bursts of gunfire were heard, according to the latest diplomatic reports from Kabul.

The State Department said it had received reports estimating that the clashes Friday left about 150 Afghan civilians dead and about 350 injured. The department said there were unverifiable reports of many more casualties.

The State Department was unable to confirm reports quoting travelers from Kabul as saying that about 4,000 Afghan soldiers mutinied and battled Soviet troops after refusing orders to shoot civilian demonstrators in the capital Friday.

State Department officials also said they had no information about the fate of an American reportedly arrested on spy charges in Kabul Friday. The Soviet news agency Tass said the American, identified only as Robert Lee, would be tried before a revolutionary tribunal.

On the diplomatic front, the State Department brushed off Soviet President Leonid Brezhnev's call Friday for international guarantees against any outside interference in Afghanistan. Brezhnev suggested in a Moscow speech that such guarantees would lead to the withdrawal of Soviet forces.

The U.S. response, issued yesterday, in effect told the Soviets to withdraw their forces first as a necessary condition for the establishment of a neutral and nonaligned government acceptable to the people of Afghanistan.

The State Department also said, "We do not believe there are any external activities which can justify the Soviet invasion of Afghanistan or the continued presence of Soviet military forces in Afghanistan."

In Moscow, a report from Kabul by the Soviet news agency Tass indicated that the unrest was continuing. It said the Afghan government and youths formed into military units were "taking energetic steps to isolate and neutralize the provocateurs and instigators."

Tass blamed the uprising on a plot by the U.S. Central Intelligence Agency. The report made no mention of any action by the Afghan or Soviet armies to put down the disturbances.

Witnesses told reporters in New Delhi that both Afghan and Soviet troops were involved in the efforts to combat rebellious demonstrators and enforce martial law.

Two tanks manned by Soviet troops were parked near the airport terminal as some travelers were leaving yesterday. Other Soviet soldiers were manning roadblocks in the nearly deserted streets and driving Soviet-made T55 and T62 tanks with Afghan Army markings, travelers said, indicating that Soviet military leaders consider Afghan units unreliable.

One French traveler told the Reuter news agency in New Delhi that between 50 and 100 Afghan civilians were killed by gunfire during demonstrations in Kabul Friday.

"I saw some Afghan troops firing over the heads of a crowd of about 200 people carrying green Islamic flags," Reuter quoted him as saying. "I didn't see any Soviet troops involved, but I have reliable reports that the Russians were involved in some gunfights."

Other witnesses said they believed the death toll was higher. One European said he saw the bodies of 100 to 200 Afghans lying in a single Kabul street.

In a dispatch from Kabul, Associated Press correspondent Michael Goldsmith said a Western diplomat who took an injured man to a hospital counted more than 50 bodies lined up on the floor for burial.

Another witness was quoted as saying that he saw six civilians lying dead on a street following renewed fighting yesterday morning.

Reuter correspondent Robert Evans reported from Kabul that, according to diplomats, anti-Soviet demonstrators had attacked two hotels in the city Friday and had injured some foreigners, possibly Soviets.

Evans said that Afghan troops and armed members of the ruling People's Democratic Party were manning roadblocks, but that Soviet forces appeared to be increasingly involved in security operations previously carried out by Afghans.

Travelers arriving in the Indian capital, New Delhi, told reporters they heard some shooting in Kabul yesterday morning, although it was not as heavy as the firing that broke out Friday during the first major public demonstrations in the capital against the Soviet military occupation of Afghanistan.

In general it appeared that action by Afghan troops and militiamen of the ruling Communist Party, backed by a strong display of Soviet air power, had dampened the mass protests Friday that bordered on a popular uprising.

However, travelers and news reports from Kabul said that a general strike begun Thursday appeared to be holding yesterday, indicating a continuing mood of resistance to the Soviet-installed government of President Babrak Karmal.

The government declared martial law Friday in response to its stiffest challenge since a Soviet invasion force brought Babrak to power in a bloody coup Dec. 27 that replaced one communist Afghan government with another.

The State Department said that in enforcing martial law, government forces had set up roadblocks that cut Kabul in half and effectively cordoned off the old bazaar, reportedly one of the main hotspots in Friday's disturbances.

Around midday yesterday, a department spokesman said, Soviet aircraft dropped leaflets over the capital claiming that British, U.S., Pakistani and Chinese agents were responsible for the trouble and reminding residents to respect the new martial law regulations.

ARTICLE APPEARED  
ON PAGE A1-10THE WASHINGTON POST  
23 February 1980

# Martial Law Declared After Kabul Violence

## Street Killings Reported

By William Branigin

Washington Post Foreign Service

Afghanistan's Soviet-installed government declared martial law in the capital, Kabul, yesterday amid the eruption of large anti-Soviet demonstrations and recurrent shooting, according to reports from the Afghan city.

Three civilians were reported killed in shooting on Kabul's streets, but there were no other details of their deaths.

Accounts of the latest developments in Afghanistan were generally sketchy, but a compilation of diplomatic and news service reports from Kabul, Washington, Moscow, New Delhi and Islamabad, Pakistan, painted a picture of mounting popular resistance in the capital to the Soviet military occupation and the Moscow-backed Afghan government. The demonstrations were believed to have been the first major public protests since Afghan communists first took power in April 1978.

In announcing martial law, the eight-week-old Afghan government of President Babrak Karmal ordered all residents of Kabul to turn in unauthorized weapons within

24 hours, prohibited gatherings of more than four persons and clamped a stricter overnight curfew on the city.

Soviet troops and armored personnel carriers were reportedly sent into the capital and stationed around key government buildings. Soviet helicopters and jet fighter planes flew low over the city, according to reports from foreign residents there.

"The situation is very, very volatile," State Department spokesman Thomas Reston said. The department had received reports of "considerable firing" in Kabul yesterday as what he described as a nationwide general strike entered its second day.

In Moscow, the Soviet news agency Tass said Afghanistan's secret police yesterday arrested a large group of persons, including an American and 16 Pakistanis, on charges of working to subvert the government under orders from foreign intelligence services.

Tass identified the American only as "Robert Lee" and said he was known for his links with the Central Intelligence Agency.

A State Department spokesman said there was a Robert Lee who was a private American citizen looking for a teaching job in Kabul. He termed the charge that Lee was a CIA agent "ridiculous." The spokesman said the department had no confirmation of Lee's arrest, but had no reason to doubt it.

About 60 private Americans are known to be living in Afghanistan in addition to about 20 U.S. staffers at the American Embassy in Kabul.

The spokesman said there had been no reported difficulties among the American residents in Afghanistan, but he said they were advised to stay at home.

The State Department said that Soviet reinforcements sent to help maintain control of Kabul had "at least" fired near or over demonstrating Afghan crowds. A department official said the disturbances had not yet been brought under control and that shooting and the chanting of anti-Soviet slogans continued after nightfall yesterday.

In a statement broadcast by Kabul radio and reported by Tass, the Afghan Interior Ministry said British, American, Pakistani and Chinese "mercenaries" had "resorted to open instigatory and subversive actions in Kabul, trying to disrupt tranquility of the city."

The statement said that the Afghan government was "striving to prevent these incendiary actions" and "preserve democratic norms" but that the mercenaries openly engaged in "plunder and arson."

In Kabul, there were indications that the communist authorities fear the possible spread of civil disobedience to government employees. According to the State Department, the official Kabul radio in its martial law announcement ordered civil servants to

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report for work Saturday, the start of the work week in Afghanistan, and warned citizens not to insult security forces.

An overnight curfew was moved up from 11 p.m. to 8 p.m.

The latest disturbances in Kabul grew out of a strike called Thursday by Afghan Moslem rebels to protest the Soviet military occupation of Afghanistan.

A Soviet strike force overthrew and killed president Hafizullah Amin in a coup Dec. 27 when it appeared that his Communist government was losing ground to a Moslem insurgency and might not survive much longer. Moving in with an invasion force that eventually grew to an estimated 70,000 men, the Soviets installed Bakrak, the leader of a rival Afghan Communist faction, in power.

Despite the massive presence of Soviet troops and equipment, however, the insurgency seems to have been intensifying in recent weeks. Thursday's strike appeared to dash Soviet hopes that the new government could restore some stability and gradually attract more popular support.

Nearly all shops in Kabul and its main bazaar closed in defiance of government efforts to force merchants to remain open during the strike.

Thursday night Kabul residents took to their rooftops and shouted slogans such as "Allahu Akbar" (God is great) and "Marg bar Shoravi" (Death to the Russians), according to diplomatic reports from the capital. Similar demonstrations took place in neighboring Iran during the last weeks of the shah's rule and have been reported recently in the city of Herat in western Afghanistan.

The strike continued yesterday, although most shops would have closed anyway in observance of the Moslem sabbath, diplomats said. Some stores that normally would have opened remained shuttered, they said.

Reports from Kabul said the strike has now spread to several other provincial cities, including Kandahar, Jalalabad, Wardak and Baghlan.

Complicating the government's crisis were the large street demonstrations reported to have been staged in different parts of Kabul yesterday.

A Western journalist in Kabul was quoted in one report as saying he saw 2,000 Afghans demonstrating outside a Kabul municipal building, waving green Islamic flags, and shouting anti-Soviet slogans.

A correspondent in Kabul for the Japanese newspaper Asahi Shimbun reported, meanwhile, that the rebels have distributed leaflets warning of an attack on Kabul March 10 followed by a "Tet-style offensive" beginning on the Afghan New Year's Day, March 21.

Details of yesterday's reported shooting in Kabul were sketchy. One diplomatic report said that most of the gunfire came from the district of Khai Khana on the northern outskirts of the capital. Firing was also reported in the Sherpur district of Kabul, where a crowd of Afghans demonstrated in the street.

A dispatch from Kabul by the French news agency Agence France-Presse said the Afghan Army had closed Kabul International Airport, reportedly after shooting broke out nearby.

It said that in the evening, hundreds of youthful demonstrators took to the streets firing pistols into the air.

ARTICLE APPEARED  
ON PAGE A-1

WASHINGTON STAR  
23 FEBRUARY 1980

# Brezhnev Meddling Charge Is Rejected by U.S. Aides

## Afghanistan Turmoil Seen As Nationalist Reaction

By Henry S. Bradsher

Washington Star Staff Writer

While U.S. officials insisted that the uprisings in Afghanistan are a nationalist reaction to Soviet control, Soviet leader Leonid I. Brezhnev blamed them yesterday on U.S. interference and said once it ends Soviet troops will withdraw.

"Let the United States together with the neighbors of Afghanistan guarantee," Brezhnev said, that all forms of outside interference "are fully terminated . . . and then the need of Soviet military assistance will cease to exist."

Responding to reporters' questions about the speech, the State Department said, "Our position continues to be that all Soviet troops should be withdrawn from Afghanistan and that there should be a neutral, non-aligned government acceptable to the people of Afghanistan in Kabul. We are studying the Brezhnev speech in this light."

Although President Carter and West Europeans have advocated the neutralization of Afghanistan, Soviet sources have rejected any solution that would remove the country from the newly expanded Soviet bloc.

U.S. officials said privately that Brezhnev's idea of guarantees against outside interference was unlikely to form a basis for resolving the crisis. So long as Afghan domestic resistance continues, the Soviet Union will find it convenient to blame foreign meddling, so it will deny the validity of any guarantees.

Some observers compared Brezhnev's suggestion with President Carter's call at his Feb. 14 news conference for "a commitment that might be verified and carried out that the Soviets would not invade another country or use their military forces beyond their borders again to de-

stabilize the peace." Both were impractical in the real world of power politics, these observers said.

Brezhnev, the Soviet Communist Party's general-secretary and his nation's president, was the last speaker in a series of leadership speeches before tomorrow's party-controlled elections to Soviet regional parliaments.

He repeated in a tougher, more strident form the Soviet line that Soviet troops were in Afghanistan only because of foreign interference there and they would leave as soon as it ended.

On Thursday Premier Alexei N. Kosygin had strongly implied that the Kremlin had no expectation of withdrawing from Afghanistan. He accused the United States of demanding that Afghan Communists renounce foreign support, but they "will never give it up," he said.

U.S. officials have said that the faction-ridden Communists in Kabul have been unable to win popular support. They could not remain in power without Soviet troops, and Moscow might decide to overthrow President Babrak Karmal in a search for a better leader, according to the officials.

"The overwhelming fact" about the trouble in Afghanistan, State Department spokesman Thomas B. Reston said yesterday, "is that there is indigenous resistance to the Soviet-imposed government." The Afghan people are "showing how they feel about a foreign occupying army," he added.

Reston refused to comment on reports that the resistance is receiving some weapons from American sources. Although Sen. Barry Goldwater, R-Ariz., has seemed to confirm that the Senate's Permanent Select Committee on Intelligence had been briefed by the CIA on a U.S. arms supply to the resistance, officials here have said it is primarily dependent on captured arms or those from deserting Afghan soldiers.

Brezhnev accused the United States of a "malicious anti-Soviet clamor . . . (that) probably beats all previous records . . . Washington simply needs a pretext to broaden its expansion in Asia" as well as "for somebody riding the crest of this wave to win the presidential elections in the autumn."

He repeated Kremlin charges that Americans, Chinese and others had directed from Pakistani territory an intervention in Afghanistan "that has created a serious threat to the Afghan revolution and also to the security of our southern border."

The White House knows, Brezhnev said, "that the USSR will withdraw its military contingents from Afghanistan as soon as the reasons that caused their presence there disappear and the Afghan government decides that their presence is no longer necessary."

"The United States loudly demands the withdrawal of Soviet troops but in fact is doing everything to put off this possibility. It is continuing and building up its interference in the affairs of Afghanistan," Brezhnev said.

"I want to state very definitely: We will be ready to commence the withdrawal of our troops as soon as all forms of outside interference directed against the government and people of Afghanistan are fully terminated. Let the United States together with the neighbors of Afghanistan guarantee this, and then the need of Soviet military assistance will cease to exist."

Brezhnev said the Afghan government has said it wants peaceful and friendly relations with neighboring Pakistan and Iran. Both countries have expressed apprehensions about the presence of Soviet troops in Afghanistan.

In Peshawar, the Pakistani city near the Khyber Pass, Afghan resistance groups and diplomats were quoted yesterday as saying Soviet troops up to battalion-sized combat units were moving toward the Pakistani border.

Diplomats in the area were quoted by a The New York Times correspondent as saying they believed the deployments might presage an effort to close the mountainous frontier to Afghan refugees or resistance guerrillas, but they doubted that it would succeed.

Observers in Washington noted that the most intensive fighting against the Soviets and their dwindling force of still-loyal Afghan soldiers has been in Afghan provinces bordering on Pakistan. The Soviet troop movements might be intended to deal with guerrillas in these provinces.

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IRAN

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350003-8

ARTICLE APPEARED  
ON PAGE A22THE WASHINGTON POST  
28 February 1980

# George Kennan Urges Tougher Stance on Iran

By Don Oberdorfer

Washington Post Staff Writer

Veteran diplomat and historian George F. Kennan yesterday advocated a declaration of war against Iran over the hostage issue and quiet diplomacy with the Soviets over Afghanistan as well as a range of other alternatives to current U.S. foreign policy.

Testifying before the Senate Foreign Relations Committee, the former ambassador to the Soviet Union and author of the postwar "containment" policy, expressed grave concern about the consequences of official attitudes and actions.

Kennan suggested that present policy toward Iran is not tough enough to bring about release of the American hostages before their psychic and physical health is endangered. On the other hand, he described policy toward the Soviet Union in Afghanistan and the Persian Gulf as so inflexible that it could bring an unwarranted drift toward a U.S.-Soviet military conflict.

Regarding the hostages, Kennan said that "if we temporize too long, our concern for their safety may be deprived of much of its meaning" because of the effect of lengthy confinement on the U.S. diplomatic personnel. He recalled the serious effect on his health of 5½ months' confinement by the Germans in 1941-42.

In a prepared statement, Kennan said the United States should "hold in readiness" means of unilateral pressure on Iran, including military pressures, in case of failure of the present United Nations-sponsored efforts for a negotiated release. Under questioning by Sen. S. I. Hayakawa (R-Calif.), Kennan said that in the face of "unprecedented insults" by Ayatollah Ruhollah Khomeini and others, he wondered why the United States did not consider itself at war with Iran.

A declaration of war, Kennan continued, would enable the United States to ask a third country to negotiate on its behalf in Tehran, as well as legally to intern Iranian officials in the United States. A swap of diplomats could "offer something to get [Iran] off the hook," he said.

If the United States decides to take military action against Iran, Kennan said, it should tell the Soviets what it is doing and why. In view of the 1921 Soviet treaty with Iran, which is still considered valid in Moscow's eyes, Kennan said previous U.S. military activities in Iran, including vast arms sales and major intelligence activities during the shah's rule, had caused "insecurity" in Russia because Iran is on its border.

On the range of U.S. policy flowing from the Soviet invasion of Afghanistan two months ago, Kennan said:

The Soviet action was undertaken for purposes far more limited than a drive to the Persian Gulf. It has not improved the Soviet posture to have seven to nine of its 23 or 24 border divisions tied up "in that unprofitable venture." A direct Soviet thrust to the Persian Gulf would be through chaotic Iran rather than through the inhospitable Afghan hills on a tangent to the southeast.

The U.S. aim should be the "gradual dismantling" of Soviet military involvement, which is possible as Soviet leaders come to understand that they "got themselves into a jam" in Afghanistan. In Kennan's view the United States should not seek to increase the Soviet difficulty there through aid to rebel forces, but rather to explore the hints that the Soviets may seek a way out.

The United States, its European allies and Japan should consider working out a broad explicit international understanding for neutralization and protection of the Persian Gulf, with Soviet participation in the arrangement. Soviet withdrawal from Afghanistan would be required, and might be aided by such an arrangement.

The high degree of U.S. dependence on Persian Gulf oil is "highly dangerous... degrading... intolerable" and should be changed by a top-priority conservation and substitution effort. Voluntary measures stiffened by strong governmental action are needed in this effort.

The 76-year-old retired diplomat and Pulitzer prize-winning historian suggested restraint in public alarms during a buildup of U.S. military forces relevant to the problems of the Persian Gulf.

BEAUFORT GAZETTE (S.C.)  
16 February 1980

# We don't have to arrest the Shah and send him back

Now that the government of Iran has backed down on its demand for the extradition of the Shah is it really asking so much of the U.S. to gain the freedom of the hostages?

We are by no means condoning the despicable act of terrorism by the militants who seized the U.S. embassy, but if we are ever to secure the freedom of the hostages we must be willing to make some compromises with the government of Iran.

Iran's President Bani-Sadr said Monday the hostages would be freed if the United States:

- ✓ Acknowledged U.S. "crimes" against Iran since the CIA helped overthrow Prime Minister Mohammed Mossadegh and restored the shah to power.

- ✓ Recognized the right of the revolutionary regime to obtain the extradition of the shah and the restitution of his fortune;

- 3. Pledged to "no longer interfere in our affairs."

Let's take them point-by-point.

- ✓ Admission of crimes against Iran — There is no question that the United States, through the Central Intelligence Agency, subverted the will of the Iranian people on many occasions. The CIA helped overthrow the government in Iran in the early 50s and restored the Shah to the throne — contrary to the wishes of many Iranians. The CIA continued for many years to help keep the Shah in power, despite a clear and growing populace demanding his ouster. The Shah was later removed from his throne by a majority of the people of Iran who wanted an Islamic state, not a monarchy. Since all the world already knows, and our government has admitted the role of the CIA in Iran, what is wrong with acknowledging that our CIA was deeply involved there? It is a simple fact of life that we cannot deny. Although our government was doing

what it thought was best for American security, there can be no harm now in acknowledging that we meddled in Iran.

- ✓ Recognize the regime's right to extradite the Shah and seek restitution for the fortune he took out of the country — This should be one of the easiest things for us to do. Let's put ourselves in the shoes of the Iranians. What if an American president sat idly by while hundreds of Americans were executed because they held views different from his own? And what if this American president, unpopular with the people, was kept in power by agents of a foreign government and later escaped to another country to save his neck? Wouldn't we believe we had the right to seek his extradition to be brought back to the U.S. to answer the charges against him? Are the Iranians wrong for asking us to "recognize their right" to seek his extradition? Keep in mind, we are not being asked to raid the Shah's residence in Panama and whisk him off to Iran aboard an Air Force jet.

- ✓ Agree not to meddle in Iranian affairs — This should go without saying. We have learned our lesson in the past. The internal affairs of another country should be no business of ours.

The American hostages in Iran are entering their second 100-day period of captivity. While what the militants did was an affront to all of the peace-loving people of the world, are we supposed to let them stay behind locked doors forever?

The militants ignored nearly every international law in seizing the American Embassy and holding the hostages. We deplore their actions in the strongest possible way.

But if our real interest is in the safety and release of the Americans being held against their will we must be willing to make some compromises.

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ON PAGE 3

NEW YORK DAILY NEWS  
27 February 1980

# Report Iran holding naval chief for U.S. links

**By Associated Press**  
 Iran's Harvard-educated navy-chief, Adm. Mahmoud Alavi, has been arrested for allegedly having links with agents at the American Embassy before that "spy nest" was seized by Moslem militants, the Iranian government newspaper reported yesterday. Alavi was the third Iranian official arrested on the basis of documents found by the young radicals at the embassy.

The United Nations investigative commission on Iran continued its work in Tehran, meanwhile, hearing from 140 Iranians, many without arms or legs, who said they had been tortured by the secret police under the shah.

Despite continued assurances from UN officials, however, the prospect that the inquiry will lead to the early release of the 50 U.S. Embassy hostages remained uncertain. Revolutionary leader Ayatollah Ruhollah Khomeini has indicated that the Americans, held since Nov. 4, will be freed no earlier than April.

In Washington, State Department officials acknowledged privately that the release of the hostages "could take a lot longer than any of us would like."

President Abolhassan Bani-Sadr, in an interview with West German television, said the commission sent to Iran by the United Nations "has no other mission" than to investigate the reign of the deposed Shah Mohammad Reza Pahlavi and issue a report.

He repeated demands that President Carter apologize for past U.S. policy in Iran, a demand the administration has repeatedly rejected.

The government newspaper Islamic Republic, citing unnamed reliable sources, said Adm. Alavi had been arrested for his "close links and friendly relations with the U.S. spies held in the U.S. embassy." Alavi also had been in contact with agents of the old regime of the deposed shah and helped many of them escape, the paper said.

Twice before, embassy documents uncovered by the militants led to the arrest of Iranian officials who allegedly were involved with the CIA.

In another development, the Soviet news agency Tass, reacting to statements by Sen. Barry Goldwater (R-Ariz.) that the United States should threaten to bomb Iran's main oil refinery if the hostages are not freed, accused "right-wing circles of the U.S. Congress" of stirring up "anti-Iranian hysteria."

At a Kansas news conference Monday, Goldwater said, "Maybe the time has come when President Carter should tell Khomeini he's got X number of days to release them or Abadan would disappear." The city of Abadan is the center of Iranian oil refining.

Samir Sambar, spokesman for the five-man UN commission, said the panel members spent almost six hours yesterday with about 140 Iranians identified as some of the victims of extensive human rights violations under the shah.

ARTICLE APPEARED  
ON PAGE 2THE BALTIMORE SUN  
27 February 1980

# Tales of torture under shah leave U.N. panel 'touched'

Tehran (Reuter) — The U.N. commission looking into Iran's grievances against Shah Mohammad Reza Pahlavi was described yesterday as "really touched" after hearing five hours of emotional stories from alleged victims of torture and cruelty under the monarchy.

In an uncharacteristically strong statement after testimony from 140 people, the commission described its witnesses as "victims of violations of human rights under the shah's regime." It said it had examined "in dramatically live terms the plight of those involved."

A U.N. spokesman, asked by reporters how the commission's members had reacted to yesterday's testimony—from two busloads of invalids who lined up in the snow for a chance to present their cases—replied: "They were really touched by what they saw."

The five-man commission was sent to Iran in hopes of easing the U.S.-Iranian crisis and paving the way for release of the 50 Americans held at the U.S. Embassy by militant students since November 4. According to U.S. sources, it will investigate complaints by both Iran and the United States.

Not to be outdone by the U.N. proceedings, the students occupying the embassy here released evidence of their own directed against the U.S. Central Intelligence Agency.

Reporters were shown documents purported to prove that the CIA had tried to spy on the Iranian oil industry and had helped a former agent of the shah's secret police to escape from Iran.

Several of the documents were partly shredded, apparently by U.S. officials before the embassy seizure. The students said one set of papers revealed how an Iranian received espionage training in New York and then returned here November 2.

Among the invalids who gave evidence to the U.N. panel were two blind men who said their eyes were gouged out when they were tortured by SAVAK, the secret police of the shah.

Some victims showed reporters scars which they said came from torture in jail.

One man said his right hand was shot off during a demonstration in Qom and his left hand mutilated when he fell into a heap of burning tires.

The panel also heard evidence from Alireza Nobari, the governor of Iran's central bank, on alleged embezzlement by the former royal family. He told reporters after testifying that he had given the panel an outline of a file produced by the central bank for investigating plundered national property.

"We have documents showing that the total amount of money plundered by the former imperial family was 500 billion rials," Mr. Nobari said—the equivalent of \$7.14 billion.

Iran's foreign minister, Sadegh Ghotbzadeh, said last night that his ministry was working on allowing the commission to visit the students.

"We are discussing things with the commission and the students," Mr. Ghotbzadeh said. "We'll find out what we can do."

In another development, Paul O'Dwyer, a lawyer and former New York City Council president hired by Iran to recover the assets of the shah, arrived in Tehran for talks with Iranian officials.

Mr. O'Dwyer, 72, said he was encouraged by a State Department statement he received before leaving Monday night. He quoted the statement as saying: "The U.S. government recognizes the right of Iran to bring legal action in the courts of the United States to account for assets in the custody or control of the former shah that may be judged to belong to the treasury of Iran."

A promise not to hinder Iranian moves to obtain the return of the shah—now living in Panama—and his fortune was one of the conditions set by President Abolhasan Bani-Sadr for an early release of the hostages.

U.S. officials have said there was never any problem in allowing Iran to pursue the shah's financial assets through American courts. But Mr. O'Dwyer thought there was significance in the State Department statement:

"Obviously, any such statement must have been cleared at the top," he said. "And that means the White House."

President Bani-Sadr has told all government departments to speed up the collection of documents that may be used against the shah. The newspaper *Khayan* reported him as having told officials that if the documents are not received on time by the public prosecutor, Iran's attempts to have the former monarch extradited may be jeopardized.

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ON PAGE A-8

NEW YORK TIMES  
27 FEBRUARY 1980

# Iran Says It Will Permit Return of U.S. Reporters

TEHERAN, Iran, Feb. 26 (Reuters) — Iran's governing Revolutionary Council decided tonight to allow some American reporters to enter the country again after having been banned since mid-January.

It gave no reason for the decision, which came only a few days after Iranian authorities had refused to admit 30 to 40 journalists with the five-member United Nations commission that is here to investigate Iranian grievances against the deposed Shah. At that time the Iranian authorities said they would not admit the journalists with the commission because American reporters were included.

The announcement tonight followed an appeal by United Nations officials accompanying the commission for admission into Iran, at least for the duration of the United Nations inquiry, of reporters accredited to the United Nations.

In announcing tonight's decision, Hassan Habibi, the council spokesman, made no mention of Americans but said that "those journalists whose impartiality is approved by the diplomatic representatives of Iran abroad can return to the country."

Asked if this meant that United States journalists were included, he replied: "If they have the capabilities, then obviously, yes."

## Americans Were Accused of Bias

Eighty-six American journalists were asked on Jan. 14 to leave Iran within three days. Iran's Oil Minister, Ali Akbar Moinfar, said at the time that the action had been decided upon because "they spread malicious news." The Americans were also accused of being biased and of concentrating on the continued captivity of the 50 Americans held hostage in the United States Embassy since Nov. 4.

But President Abolhassan Bani-Sadr, who heads the Revolutionary Council, is a known advocate of press freedom. At his first news conference after being elected President last month, he said he would rather have foreign reporters writing lies from inside Iran than from without.

Meanwhile, the United Nations panel, which since its arrival on Saturday has conferred with Iranian officials and heard testimony from Iranian jurists, heard five hours of testimony from 140 people, many of them without arms or legs, who said they were victims of torture and cruelty during the rule of Shah Mohammed Riza Pahlevi. A spokesman said afterward that the commission members had been "really touched."

The commission issued a statement describing its witnesses as "victims of violations of human rights under the Shah's regime." Speaking of the two busloads of invalids who lined up in the snow for a chance to present their cases, it said it had examined "in dramatically live terms the plight of those involved."

## Militants Also Release Papers

The five-man commission was sent to Iran in hopes that it could help ease the United States-Iranian crisis and pave the way for release of the Americans who have been held in the embassy by Islamic militants since Nov. 4.

As the United Nations group listened to the testimony, the militants released evidence of their own, against the United States Central Intelligence Agency.

Foreign Minister Sadegh Ghotbzadeh said tonight that his ministry was working on a possible visit by the United Nations commission to the militants. But he did not say anything about the commission's hopes of seeing the hostages.

The militants showed reporters documents that purportedly showed that the C.I.A. had tried to spy on the Iranian oil industry and had helped a former agent of the Shah's secret police to escape from Iran. Several of the documents were partly shredded, apparently by United States officials before the embassy seizure.

The United Nations spokesman, Samir Sambar, said the invalids who testified before the investigating panel today had filled in detailed questionnaires before appearing. The commission consists of lawyers from Algeria, Syria, France, Venezuela and Sri Lanka.

"Some were making religious pronouncements, some were expressing their own grievance in an emotional or in a very quiet, graceful way," he said.

Among the invalids who gave evidence to the panel were two blind men who said their eyes had been gouged out when they were tortured by Savak, the Shah's secret police. Some victims showed reporters ugly scars that they said were a result of torture in jail.

The panel also heard evidence from Alireza Nobari, governor of Iran's central bank, on what he described as embezzlement by the former royal family. He told reporters after testifying that he had given the panel an outline of a file produced by the central bank group that is investigating plundered national property.

"We have documents showing that the total amount of money plundered by the former imperial family was 500 billion rials," Mr. Nobari said. That is equivalent to \$7.14 billion.

Also today, Paul O'Dwyer, the New York lawyer retained by the Iranian Government to recover the assets of the Shah, arrived in Teheran for talks with Iranian officials.

ARTICLE APPEARED  
ON PAGE 229

THE NATION  
1 March 1980

# The Savak-C.I.A. Connection

**A**s the international tribunal prepares to hear evidence of human rights violations in Iran during the reign of the Shah, new attention is focused on the issue of U.S. involvement in these crimes. In a series of interviews conducted last week, *The Nation* obtained testimony that the Central Intelligence Agency had knowledge of instances of Savak torture, that the Agency trained Savak agents in "interrogation techniques" both in Teheran and the United States and that the C.I.A.'s knowledge of Savak torture was kept from the American public for more than a quarter of a century, most recently by an American television network.

The fact of torture and murder on a substantial scale by the Shah's regime is no longer in question. As last week's issue of *The Nation* depicted in gruesome detail (see Reza Baraheni, "The Savak Documents"), Savak maimed and slew its victims in a systematic campaign of atrocities. Informed estimates of the numbers killed between the August 1953 coup and the Shah's ouster in 1979 vary, but the best guess is that between 10,000 and 15,000 people lost their lives at the hands of the Shah's police.

The involvement of the C.I.A. in these atrocities has long been alleged. Now, information we have gathered proves beyond a reasonable doubt that the C.I.A. did indeed "unofficially" know about human rights violations under the Shah and kept silent about them. For more than twenty years U.S. officials publicly denied the existence of torture in Iran, or played down its significance. As late as 1976, Alfred Atherton, then Assistant Secretary of State, told a Congressional committee that he did not believe there was torture in Iran, although he admitted there was "harsh treatment." In an interview with *The Nation*, Jesse Leaf, a former C.I.A. political analyst with extensive involvement in Iranian matters, said: "The Atherton '76 statement was bull-shit. Of course we were aware [of Savak torture]. It was common knowledge. Being based in Washington, I constantly heard 'war stories' from returning agents about Savak torture.... In 1972 when a lot of stuff came out from Amnesty International and other sources about Savak torture, I wanted to pull the information together for a C.I.A. memo on the subject. I was told not to prepare the report."

A second retired C.I.A. expert on Iran, with more than twenty-eight years in the Agency, ten of them in Iran, told *The Nation*: "Yes, we all heard stories—I personally started hearing them in the early '50s—and we assumed that a lot of them were true, because that is the way things are done in that part of the world. But we did not have 'positive proof' of torture because...we never officially investigated it. If we had gotten a request, we would have collected information. But we did not receive any orders. Besides, it was not our job to monitor Savak prisons." When we come to the question of U.S. involvement in torture training, the truth remains more elusive. Leaf maintained that "I became aware through unofficial channels that the C.I.A. set up seminars in Teheran in extensive interrogation techniques. I believe that one of the source books for the seminars was a Nazi volume." But another agent told *The Nation* categorically that no torture classes run by the C.I.A. were set up in Iran. "This rumor boggles my mind," he said. "I don't think the C.I.A. even has a Nazi interrogation book in its library." Yet this same agent did admit that when the C.I.A. set up Savak in 1957 at the behest of the Shah, a series of classes and seminars were organized by the Agency to teach Iranian personnel the fundamentals of an intelligence organization. One of these classes was in interrogation techniques "of a normal police type." *The Nation* was also told by a C.I.A. source that between "ten and a hundred" Iranian officers, Savak agents and Savak Internal Security Division members (the squad responsible for domestic repression and torture) received training at the International Police Academy (I.P.A.) and the International Police Services School, both located in Washington, D.C. (According to State Department documents obtained by *The Nation*, 179 Iranians received police and intelligence training from 1963 to 1973. One graduate was made chief of Savak upon his return.)

These C.I.A.-sponsored institutions, under the "cover" of the Office of Public Safety of the Agency for International Development, trained Third World police officers and intelligence agents in various "craft techniques" up until 1975 when Congress abolished the program. In Congressional testimony on the I.P.A. in 1974, Daniel Parker, then director of the A.I.D., admitted, "The subject 'Interviews and Interrogations' is taught as part of criminal investigation specialty courses.... While the means are neutral it is quite possible that at some later date the police trained here may participate in repression."

If, at the least, the C.I.A. officially turned a blind eye to Savak torture, it was not only the intelligence bureaucracy that participated in the cover-up. While some information of Savak torturing was published in the U.S. press, including *Time* magazine, in the mid-1970s, other press organizations have seen fit to continue to play down U.S. knowledge and association with Savak's macabre activities.

CONTINUED

*The Nation* has learned that in the course of an interview with *ABC News* last December in Teheran, Sean McBride, the Irish diplomat and former president of Amnesty International, stated that the C.I.A. had knowledge of specific instances of Savak torture up until the final weeks before the Shah's fall. ABC correspondent Barry Serafin, the principal interviewer, confirmed to us that after McBride talked a bit about a possible international commission to investigate the crimes of the Shah, "Bill Blakemore and I went into the past stuff with him. He told us what he knew about some of the torture charges against Savak. ... Yes, I think he said the C.I.A. knew what was going on all along."

For his part, Serafin admits he doesn't recall whether the controversial portion of the McBride piece was ever aired. "But I certainly did not suppress the story. There was no effort to suppress on my part. I actively pursued the subject. I don't remember if the film was ever even sent out, it was so long ago. ... But you know, the important thing about the McBride visit to Teheran was his effort to release the hostages. *That* was the story."

McBride's allegations were never aired in the United States. Somewhere along the line an *ABC News* producer decided not to use the material. Indeed, repeated calls to *ABC News* have failed to confirm whether the McBride charges were subsequently followed up by the news staff.\*

The full story of the nature of the relationship between the C.I.A. and Savak has yet to come out. Presumably, when all the facts are known the American people can address the moral question of the type of relationship our country should have with an "ally" that maintains a brutal regime. For now, though, one thing is clear: the truth will never come out if C.I.A. officials, the Federal Government and national news organizations continue to ignore the sorry spectacle of torture abroad.

CARL KAPLAN and FRED HALLIDAY

\*As we went to press, an ABC spokesman said that McBride's charges were aired by Blakemore in an editorial essay on ABC Radio's *Perspective*, Sunday, February 17.

Carl Kaplan is a former assistant editor of the *New Leader*. Fred Halliday is a fellow of the Transnational Institute, Amsterdam. Financial assistance for this story was given by the Fund for Investigative Journalism.

ARTICLE APPEARED  
ON PAGE G-1WASHINGTON STAR  
24 FEBRUARY 1980

# The pledge America owes to Iran

By I. F. Stone

Now that President Carter has said he will not apologize to Iran, this is a good time to recall the 1968 Pueblo affair. President Lyndon B. Johnson, abrasive though he was, kept his cool for 11 months, then apologized to North Korea in order to free the crew of that naval intelligence vessel. It had been seized in North Korean waters, and Johnson had to admit the violation to get the hostage crewmen back safe. (North Korea kept the ship.)

The alternative, as then urged by some of our hawks during a year of uproar, was to forget about the hostages and restore respect for the American "godfather" by bombing North Korea — in a once-famous U.S. Air Force general's felicitous phrase — "back to the Stone Age."

A similar demand for an "apology" is playing a part in the Iranian hostage negotiations, and the country has yet to get the full story or grasp the full implications. When President Carter was asked at his press conference recently whether he would be willing to apologize for the restoration of the shah in 1953, he brushed the question aside as "ancient history."

But it is not ancient history for the Iranians, and it may not be ancient history for us, either.

In 1953 the shah fled without abdicating and was later put back on the throne by the Central Intelligence Agency. This time, too, the shah has fled, but without abdicating, and his energetic twin sister has indicated that the family hopes that Iran may be restored to the Pahlavis, perhaps with a younger member of the dynasty on the Peacock Throne.

This is what Iranians fear; and this is what many U.S. banks and big businesses may desire. For that would mean the resumption of contracts and relationships worth billions of dollars to them. Should Ayatollah Ruhollah Khomeini die, there may be chaos or civil war and the

possibility of U.S. intervention to restore the monarchy and what might be called picturesquely but not too inaccurately the Chase Manhattan Connection.

What Iran is asking is a public pledge that we will not attempt a repeat performance. Carter's vague expressions of regret two days later about "past misunderstandings" with Iran is not enough to allay the fears generated by the unleashing of the CIA and the mobilization of U.S. power in the Persian Gulf.

Such a pledge of non-intervention would clear the way for the release of the hostages. It would also assure the American public that our government will keep hands off Iran, give the new regime of President Abolhassan Bani-Sadr a chance, and not utilize the CIA and "rapid-deployment forces" in what could be an intervention far more inflammatory than that in Vietnam. The danger, put simply, is that we may try to do in Iran exactly what the Russians have done in Afghanistan — violate international law to impose a puppet regime on an unwilling people.

The new president of Iran, Bani-

Sadr, striving desperately to get the American hostages out of the hands of the militants, has already made his own apology to the United States. In a recent interview aired on Greek television (Washington Star, Feb. 18) that too few papers in this country noticed, he admitted that the seizure of the U.S. Embassy was "from the humanitarian point of view deplorable" and from the legal point of view "violated the international rules." He added, however, that it was "not our side" that began the violation of international norms in Iran, and that "we now see the consequences" of such lawlessness.

Since the "dirty-tricks" division of the CIA is our institutional device for violating international law, and since we are apparently preparing to unleash it, the question of what happened in 1953 is no longer "ancient history" but a matter of renewed policy. We are indeed on the verge of applying it in El Salvador and perhaps Guatemala.

The CIA jargon for such operations is "destabilization." There could be no better word for what a new series of big or little Vietnams would do to our economy. That's all that our ailing dollar needs.

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*I. F. Stone, former publisher and editor of I. F. Stone's Weekly, lives in Washington.*

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ARTICLE APPEARED  
ON PAGE 23

THE CHRISTIAN SCIENCE MONITOR  
25 February 1980

## Why the bear took that tiger by the tail

By Leo Grulio

In all the furor over the Soviet seizure of Afghanistan, surprisingly little thought has been given to the most likely reason that the Kremlin made this dangerous move.

The reason, I think, lay in its miscalculation of American behavior toward Iran.

America was embroiled with the Iranians, and Iran hovered on the brink of chaos. The men of the Politburo probably could not imagine that the United States would restrain its response to Iranian defiance and play it cool. Hadn't the CIA helped restore the Shah to his throne when unrest tore Iran a quarter century earlier? By hardline Soviet reasoning, what more plausible assumption than that US forces would sweep into Iran the moment some incident brought a showdown?

If American forces moved into Iran, the result could be the establishment of US bases on the Soviet border, with a hostile China stretching along most of the remaining Soviet frontier in Asia, and only a turbulent Afghanistan in between. To understand the Kremlin's obsession with this prospect, one need not look far into Soviet history, one need only recall Washington's own anxieties over a foreign presence in nearby Cuba.

The simplistic view was that the Russians simply grabbed some handy real estate while the world was looking the other way. The trouble with this easy theory was that Afghanistan's intrinsic value scarcely justified the costs.

A more elaborate explanation was that the Kremlin feared that its own Muslim population in Central Asia might be infected by the spread of Islamic unrest. But the Soviet Central Asian frontiers have been tightly sealed for more than half a century. It did not require a full-scale invasion of Afghanistan to close them.

The instability of Afghanistan itself provided another explanation. Here Islamic fervor and the example of Iran could indeed have made difficulties for the Russians' puppets. The Soviet Union dominated Afghanistan long before Soviet troops moved in. Since 1978 the successive Kabul governments had the Kremlin's seal of approval and were propped up with Soviet advisers and military support. The Kremlin must have been unhappy over their failure to suppress guerrilla resistance. But to install still another puppet in Kabul and to put down the guerrilla resistance hardly called for 80,000 Soviet troops.

Still another explanation was that the Soviet leaders, like the czars before them, dreamed of warm-water ports and domination of the Indian subcontinent. Although the men in the Kremlin sometimes behaved like

19th-century empire builders, they are more aware of modern realities than this explanation implies. They don't read Rudyard Kipling these days.

A more credible version of the same reasoning was that the Russians wanted to seize the oil of the Persian Gulf or at least cut off Western access to it. Afghanistan provided a springboard from which to strike at the Gulf's oil.

Even this explanation did not suffice. Brazen as the Kremlin can be, and no matter how

### No Politburo can abide to yield under publicly exerted pressure

much it had already written off détente or miscalculated possible Western reactions, the Soviet rulers nevertheless must have realized that an outright grab of Iranian oil or the Straits of Hormuz would plunge them into a world war. I doubt they were prepared to take risks of that magnitude.

Why, then?

The answer comes back to the Soviet obsession with a foreign power's presence along its borders. In Soviet reckoning, the Russian troops poised in Afghanistan ensured that any American move in Iran would trigger these troops to take over Iran's north, adjoining the USSR — a region that the Russians sought to swallow twice before, in 1920 and 1946 — and would bring about a partition of Iran à la Korea or Germany. It was a gamble based on the presumption that America would act.

The Americans didn't move into Iran, however, and the Russians were left holding the Afghan tiger by the tail.

A previous gamble like this one — Khrushchev's attempt to place missiles in Cuba — hastened the downfall of a Soviet leader.

Even if Brezhnev were to recognize his misreading of American intentions and were inclined to relinquish Afghanistan — which is questionable, now that his spokesmen have lied themselves into a corner and his military occupy that strategic country — he cannot back down. The UN condemnation and President Carter's strong stand would make a Soviet withdrawal appear an embarrassing retreat. If there is anything no Politburo can abide, it is to yield under publicly exerted pressure, as Khrushchev did.

The Russians are stuck with the consequences of their invasion. Maybe all of us are.

*Leo Grulio is editor emeritus of the Current Digest of the Soviet Press and former*

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KGB REPORT

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THE BALTIMORE SUN

26 February 1980

# CIA, allies change policy, begin openly exposing Soviet intelligence

Washington (KNT) — The Central Intelligence Agency and allied intelligence agencies have declared open season on their KGB counterparts, exposing Soviet intelligence operations throughout the world.

In the weeks following the Soviet invasion of Afghanistan, there have been major exposures of Soviet spy networks in New Zealand, Spain, Canada and Japan. Agents have been exposed and, in some cases, expelled.

Intelligence veterans note that this flurry of "rollbacks" is in marked contrast to the days of detente when the tight little world of spy versus spy simmered clandestinely.

In addition, the CIA has given reporters and friendly intelligence agencies hundreds of pages of previously secret documents about the KGB's activities. They detail recent plots to discredit United States peace moves in the Mideast and to derail nuclear arms policy talks between the U.S. and Western European allies.

"There are always a lot of spy cases on the back burner," said a former U.S. counterespionage official, who kept tabs on the KGB during the Cold War. "Sometimes word comes down to bring them in. It's like deciding when to play your trump in a card game."

Perhaps most damaging to the KGB was a hearing on Capitol Hill earlier this month. For the first time in the CIA's history, testimony by the agency's chief spymaster, the director of covert operations, was handed to reporters. Until then, John McMahon's identity as deputy director for operations was itself a secret.

Mr. McMahon's testimony disclosed a mass of sensitive data. It included copies of what Mr. McMahon called KGB forgeries of American diplomatic documents, which were part of an apparent scheme to undermine relations between the U.S. and Egyptian President Anwar el Sadat.

Mr. McMahon told the House Oversight Subcommittee on Intelligence that the KGB forged a letter over the fabricated signature of Hermann F. Eilts, ambassa-

dor to Egypt, stating that the U.S. was planning to dump Mr. Sadat.

"We must repudiate him [Mr. Sadat] and get rid of him without hesitation," said the falsified letter, which was addressed to Adm. Stansfield Turner, director of central intelligence. Mr. McMahon said the letter was planted in a Syrian newspaper October 1, and was the KGB's third forgery involving Mr. Eilts's "signature."

In his testimony, Mr. McMahon said, "The KGB exercises day-to-day operation responsibility for forgery efforts, but its annual and five-to-seven-year work plans are approved by the highest levels of the Soviet political authority."

In all, Mr. McMahon gave the subcommittee 16 documents he called KGB forgeries. They show the Soviet spy agency writing nonexistent press conferences for President Carter in which he made insulting remarks about Greece, an Army field manual urging subversion of host countries and many falsified diplomatic cables.

Mr. McMahon also disclosed a CIA estimate of how much the KGB spends a year — "our rough estimate of \$3 billion a year is probably a conservative figure."

The CIA estimated that the KGB spent \$200 million last year for support to guerrilla groups, \$100 million on clandestine radio stations and another \$200 million for "special campaigns" — including an effort to stop American plans to build the neutron bomb and place nuclear missiles in Europe.

A spokesman for the House subcommittee said Mr. McMahon's testimony, delivered in secret session February 6, was released last week to "dramatize" recent increases in Soviet forgery schemes. Mr. McMahon said the KGB had been using forgeries since the 1950s.

"The new bogus documents include high-quality, technically sophisticated falsifications of a caliber which the Soviet and bloc intelligence services were evidently incapable of producing in the 1950s and even the 1960s," Mr. McMahon said.

"Furthermore, in two cases Soviet

forgers directly attributed false and misleading statements to the president and vice president of the United States, something they have refrained from doing in the past."

A House source said the CIA had provided allied intelligence agencies with additional details.

For example, he said, the CIA gave to Spanish intelligence the names of a member of the Spanish Communist Party and a Cuban emigrant allegedly involved in faking a U.S. Army training manual. Names of scores of other such "agents of influence" were disclosed to intelligence agencies around the globe in recent weeks, the sources said.

The clandestine game of tag has been played out from the South Pacific to Canada.

In New Zealand, the government expelled Soviet Ambassador Vsevolod Sofinski in mid-January for supplying cash to a Socialist political party. The case had been developed several years ago, intelligence sources said, but only closed in January.

In Spain, last week, the manager of the Soviet airline Aeroflot, Oleg Shuranov, was expelled after he was caught carrying "documents related to Spanish security." Government sources said Spanish intelligence had been suspicious of him for months.

In Ottawa, Canadian authorities expelled two Soviet embassy officials and a chauffeur January 21. All were charged with paying money to an American undercover agent to buy U.S. secrets. The Canadians knew about the case for 16 months but made the arrests in the wake of the Afghanistan invasion.

In Japan, the nation's army chief of staff resigned January 28 after police there closed down a Soviet-operated spy network which had been discovered in 1976. The case, a sensation in Japan's media, was the first espionage scandal since the army was formed in 1954 after being outlawed following World War II.

ARTICLE APPEARED  
ON PAGE 1THE CHRISTIAN SCIENCE MONITOR  
25 February 1980

# US allies dig out nests of Soviet spies

By Daniel Southerland

Staff correspondent of The Christian Science Monitor  
Washington

A Soviet "peace offensive" aimed at splitting the Western allies over the issue of Afghanistan is well under way. But another kind of Soviet activity that is anything but peaceful and friendly — spying — continues, and may have intensified.

All the indications are that since the invasion of Afghanistan, Soviet agents are doing anything but lying low. Over the past two months, half a dozen Soviet officials have been thrown out of, or felt compelled to leave, an equal number of countries allied with, or friendly with, the United States.

In each case, Soviet officials have been accused of espionage or other improper activity. At a time when one would think the Soviets would have every interest in trying to woo those countries friendly with the United States away from the US position on Afghanistan, these incidents have been at the least an irritant.

In one country, Japan, the sale of secrets to a Soviet military attaché has amounted to a scandal and the biggest spy case since World War II.

Has there been an upsurge in Soviet spying? Several experts guess that the answer is yes. They suggest that what has been detected lately is only the "tip of the iceberg" and that just as they have become more assertive in a number of other fields, so have the Soviets become more assertive in spying.

But other experts say no to speculation about an upsurge. They do not argue with evidence that the Soviets steadily increased their espionage activities around the world from the early 1960s onward. But they think that the new element in the picture is not any increase in Soviet espionage activities, but the attitude of a number of nations toward those activities.

They suggest that since the invasion of Afghanistan, a number of countries have become less tolerant of Soviet spying. In the past, they say, some might have considered it in the interest of détente to wink at certain spy work.

"I think it's fair to say that most governments around the

world now are a little more suspicious of the Soviets and probably prepared to be a little tougher," said Malcolm Toon, former US Ambassador to the Soviet Union.

"In the past, some countries, including our own, have handled this sort of thing quietly; or overlooked it in the interest of maintaining good relations," Mr. Toon added.

The two US government agencies best qualified to analyze all this, the Central Intelligence Agency and the Federal Bureau of Investigation, have declined to comment. But foreign diplomats say that in several cases recently, the Soviet spying was so blatant and so serious that there would have been no question of overlooking the violations under any circumstances.

A Canadian diplomat, for example, said that "we told the Russians in February, 1978, that we want these activities to desist. They just flagrantly went ahead and started it all over again."

On Jan. 21, Canada disclosed that it had ordered the expulsion of two Soviet Embassy military attachés and an embassy chauffeur because of espionage against the United States. This involved payments of \$100,000 and clandestine meetings with an unnamed US citizen. The Canadian government said the expulsions were not related to the Soviet invasion of Afghanistan.

Other recent incidents have involved:

- The alleged sale of documents by a retired Japanese major general to a Soviet military attaché. Japan's Army chief of staff resigned and 10 other senior military officers were disciplined. The Soviet attaché left for Moscow before he could be questioned.

- Expulsion of a Soviet "commercial officer" in Marseilles, France, after he was apprehended photographing documents described as having "important value to the French national defense."

- Expulsion of the Soviet Ambassador to New Zealand after he was detected giving money to a small, leftist political party.

- Expulsion by Spain of the Soviet Embassy's second secretary and the Madrid director of the Soviet airline Aeroflot.

ARTICLE APPENDIX  
ON PAGE 6CHICAGO TRIBUNE  
24 February 1980Canada to Japan

# West exposes

# Soviet spy plots

By James Coates  
and John Maclean

Chicago Tribune Press Service

**WASHINGTON** — The Central Intelligence Agency and allied intelligence agencies have declared open season on their KGB counterparts, exposing Soviet intelligence operations throughout the world.

In the weeks following the Soviet invasion of Afghanistan, there have been major exposures of Soviet spy networks in New Zealand, Spain, Canada, and Japan. Agents have been exposed and, in some cases, expelled.

Intelligence veterans note that this flurry of "rollbacks" is in marked contrast to the days of detente when the tight little world of spy versus spy simmered clandestinely.

In addition, the CIA has given reporters and friendly intelligence agencies hundreds of pages of previously secret documents about the KGB's activities. They detail recent plots to discredit U.S. peace moves in the Mideast and to derail nuclear arms policy talks between the U.S. and Western European allies.

"There are always a lot of spy cases on the back burner," said a former U.S. counterespionage official, who kept tabs on the KGB during the Cold War. "Sometimes word comes down to bring them in. It's like deciding when to play your trump in a card game."

In Moscow, Tass news agency announced Friday that Afghanistan's secret police had arrested an American, Robert Lee, in Kabul. Tass said Lee was "known for his links with the Central Intelligence Agency."

**PERHAPS MOST** damaging to the KGB was a hearing on Capitol Hill earlier this month. For the first time in the CIA's history, testimony by the agency's chief spymaster, the director of covert operations, was handed to reporters. Until then, John McMahon's identity as deputy director for operations was itself a secret.

McMahon's testimony disclosed a mass of sensitive data. It included copies of what McMahon called KGB forgeries of American diplomatic documents, which were part of an apparent scheme to undermine relations between the U.S. and Egyptian President Anwar Sadat.

McMahon told the House Oversight Subcommittee on Intelligence that the KGB forged a letter over the fabricated signature of Herman Eilts, ambassador to Egypt, stating the U.S. was planning to dump Sadat.

"We must repudiate him [Sadat] and get rid of him without hesitation," said the falsified letter, which was addressed to CIA Director Stansfield Turner. McMahon said the letter was planted in a Syrian newspaper Oct. 1 last year, and the KGB's third forgery involving Eilts' "signature."

IN HIS testimony, McMahon said, "The KGB exercises day-to-day operation responsibility for forgery efforts, but its annual and 5-to-7-year work plans are approved by the highest levels of the Soviet political authority."

In all, McMahon gave the subcommittee 16 documents he called KGB forgeries. They show the Soviet spy agency writing nonexistent press conferences for President Carter in which Carter made insulting remarks about Greece, an Army field manual urging subversion of host countries, and many falsified diplomatic cables.

McMahon also disclosed a CIA estimate of how much the KGB spends a year — "our rough estimate of \$3 billion a year is probably a conservative figure."

The CIA estimated the KGB spent \$200 million last year for support to guerrilla groups, \$100 million on clandestine radio stations, and another \$200 million for "special campaigns" — including an effort to stop American plans to build the neutron bomb and place nuclear missiles in Europe.

A SPOKESMAN for the House subcommittee said McMahon's testimony, delivered in secret session Feb. 6, was released last week to "dramatize" recent increases in Soviet forgery schemes. McMahon said the KGB had been using forgeries since the 1950s. "The new bogus documents include high quality, technically sophisticated falsifications of a caliber which the Soviet and bloc intelligence services were evidently incapable of producing in the 1950s and even the 1960s," McMahon said.

Furthermore, in two cases Soviet forgers directly attributed false and misleading statements to the President and Vice President of the United States, something they have refrained from doing in the past."

A House source said the CIA has pro-

vided allied intelligence agencies with additional details.

For example, he said, the CIA gave to Spanish intelligence the names of a member of the Spanish Communist Party member and a Cuban emigrant allegedly involved in faking a U.S. Army training manual. Names of scores of other such "agents of influence" were disclosed to intelligence agencies around the globe in recent weeks, the sources said.

THE CLANDESTINE game of tag has been played out from the South Pacific to Canada.

In New Zealand, the government expelled Soviet Ambassador Vsevolod Sofinski in mid-January for supplying cash to a Socialist political party. The case had been developed several years ago, intelligence sources said, but only closed in January.

In Spain, last week, the manager of the Soviet airline Aeroflot, Oleg Shurnov, was expelled after he was caught carrying "documents related to Spanish security." Government sources said Spanish intelligence had been suspicious of him for months.

In Ottawa, Canadian authorities expelled two Soviet embassy officials and a chauffeur Jan. 21. All were charged with paying money to an American undercover agent to buy U.S. secrets. The Canadians knew about the case for 16 months but made the arrests in the wake of the Afghanistan invasion.

In Japan, the nation's army chief of staff resigned Jan. 28 after police there closed down a Soviet-operated spy network which had been discovered in 1975. The case — a sensation in Japan's media — was the first espionage scandal since the army was formed in 1874 after being outlawed following World War II.

AT THE White House an official familiar with U.S. intelligence activities denied that Washington engineered these various crackdowns against the KGB. However, he added, "without anybody orchestrating anything, you cannot rule out the idea there has been a change in how many countries perceive the world today and how they perceive the Soviet diplomats."

"It is well-known the Soviets do abuse diplomatic immunity and do use it to carry on clandestine activities."

ARTICLE APPEARED  
ON PAGE 68-69U.S. NEWS & WORLD REPORT  
3 March 1980

# Department of Dirty Tricks, Soviet Style

**While Russia's diplomats talked peace and reconciliation, her secret agents were busy concocting bogus documents to blacken America's image. A new CIA report spells out what happened.**

Now coming to light is the most complete disclosure yet of how the Soviet Union—even when détente was in full flower—systematically staged “dirty tricks” to discredit the U.S. among its allies and other nations.

Details of the secret campaign were made public on February 19 by the House Intelligence Committee. The panel released a report by the Central Intelligence Agency that was sent to lawmakers as congressional debate heated up over proposals to give the CIA a freer hand to conduct covert operations of its own.

The study portrays a clandestine anti-U.S. propaganda drive that started after World War II and reached a peak in intensity and sophistication during 1978 and 1979, the period in which the U.S. and the Soviet Union were wrapping up a new strategic-arms-limitation treaty.

Among other things, Moscow is accused of using forged documents in various attempts to link the U.S. with terrorism around the world, including the 1978 assassination of former Italian Premier Aldo Moro.

**U.S. bureaucrats duplicated.** The CIA says the Soviets have made near-flawless forgeries of everything from secret U.S. Army field manuals to classified State Department communiqués. Not only have they obtained the proper inks, paper, printing presses and letterheads, but Soviet experts have become masters at duplicating the writing style of American bureaucrats.

In the 105-page report, complete with voluminous documentation, the CIA says the Soviets called a halt to their dirty tricks for four years in the mid-1970s for reasons that remain unclear. But by 1978, the Kremlin had streamlined its foreign-propaganda apparatus into an International Information Department, bankrolled it heavily and, as a mark of its new importance, installed as its boss a longtime crony of President Leonid Brezhnev’s.

The agency reports directly to the Politburo and works hand in glove with the KGB, the Soviet spy agency, as it carries out covert “disinformation” operations that rely heavily on forgery. The CIA believes that as many as 50 KGB technicians are detailed to a forgery squad.

According to the CIA’s reckoning, the Soviets in 1979 poured at least 200 million dollars into a variety of special campaigns—using both propaganda and covert operations—to isolate the U.S. from its friends. “Moscow does not see any basic incompatibility between its official policy of expanding bilateral relations with Washington and practicing dirty tricks,” John McMahon, the CIA’s deputy director of operations, testified before the panel. “The Soviet Union’s willingness to conduct its foreign policy in accor-

Soviets manufactured a series of authentic-looking State Department memos criticizing Egyptian President Anwar Sadat and suggesting that the U.S. would soon abandon him.

dance with the implicit rules of the game that were observed by both sides during the first phase of East-West détente has steadily eroded.”

Among the report’s highlights—

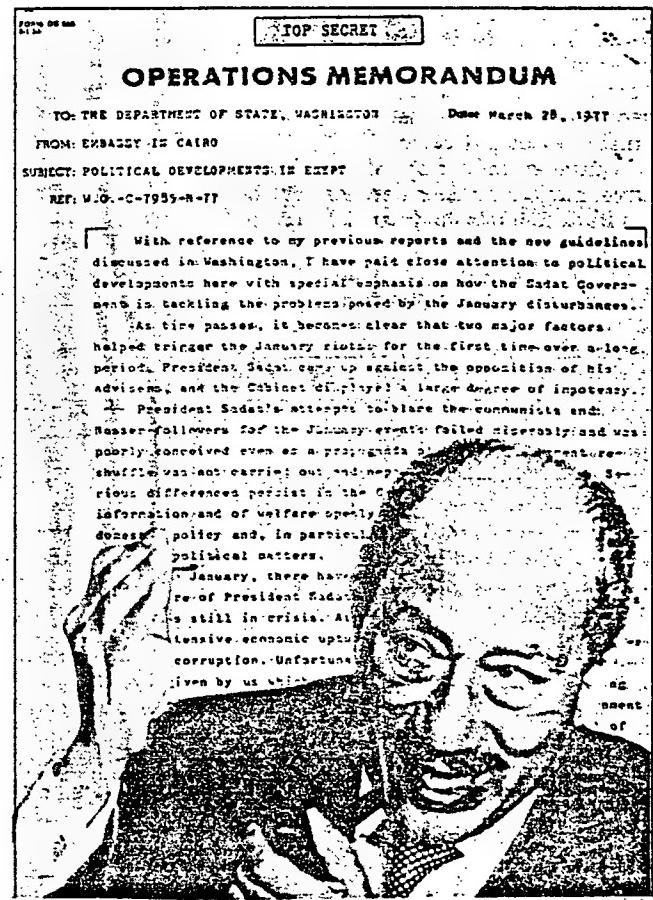
## Doctoring a Field Manual

One of the slickest of all Soviet forgeries is an Army field manual that has been repeatedly used for propaganda purposes. Bearing the signature of retired Gen. William Westmoreland, the manual purports to offer general guidance on how the Army might react to threats from leftist and Communist forces in allied countries.

The manual suggests that the U.S. is not only willing to meddle in the internal affairs of other nations but might even use leftist organizations to frighten friendly countries into adopting harsh internal-security measures. The handbook appears to be fresh off the Pentagon’s printing presses—authentic in every detail, from the thicket of military jargon and sweep of Westmoreland’s signature right down to the regulation typeface.

The bogus manual has been around for at least five years, but the Soviets seemed to make scant use of it until the Aldo Moro kidnapping in Italy. Then, a Spanish writer—a Communist with ties to Soviet and Cuban intelligence agencies—published in two Madrid newspapers an article, citing the manual as evidence of U.S. involvement with the Italian Red Brigades, the terrorist killers of the Christian Democratic leader.

Excerpts from the forged manual and the article were widely reprinted in Europe, especially in Italy. “Within days of the Moro kidnapping, the Soviet propaganda apparatus had begun a campaign of suggestion and innuendo to falsely link the U.S. to this murder,” says the CIA study. “But Moscow had enjoyed little success without proof to



support its allegations." The newspaper stories helped add credibility to the Soviet accusations, according to analysts at the CIA.

In all, the manual has turned up in 20 countries, most recently in Lisbon, where the Soviets distributed Portuguese-language versions to Army officers.

### Driving a Wedge

A number of forged documents obtained by the CIA shared an identical purpose: To create tensions between the U.S. and Greece as well as with other allies in Western Europe.

At least three forgeries represented the U.S. as highly critical of the Greek government during the time it was trying to persuade Athens to resume an active military role in the North Atlantic Treaty Organization. Among the forgeries was a fabricated speech by President Carter in which he purportedly made demeaning references to the Greeks, reproached them for their role in NATO and expressed rising impatience with the Athens government. Widely distributed as an official text under the letterhead of the U.S. Information Service, the document was published by at least two Athens newspapers before it was discovered to be fraudulent.

Another forgery aimed at alienating the Greeks was an altered Defense Department telegram in which the United States expressed sympathy for Turkey in its longstanding dispute with Greece over Cyprus. Similarly, a collection of counterfeit State Department directives ordered U.S. military personnel to spy on dozens of prominent Greek political figures.

Of the many forged documents designed to offend U.S. allies in Western Europe, one was originally a cable from then Secretary of State Henry Kissinger instructing U.S. embassies to collect economic data from published sources. The Soviet version, which was leaked to journalists, included demands for secret information that could be used to pressure European officials into cooperating with U.S. economic goals, and for covert action to hinder or eliminate trade competition by Japan, West Germany and other allies.

### The Sadat Cables

Another Soviet effort was intended to show that the U.S. had lost faith in Egyptian President Anwar Sadat and would swiftly abandon him once he no longer served American interests in the Middle East.

A fictitious interview by Vice President Walter Mondale, full of derogatory statements about Sadat, ran in a newspaper that has a nationwide circulation in Egypt. Among other forgeries were a phony set of notes by a State Department aide and a fabricated letter from Hermann F. Eilts, former U.S. ambassador to Egypt.

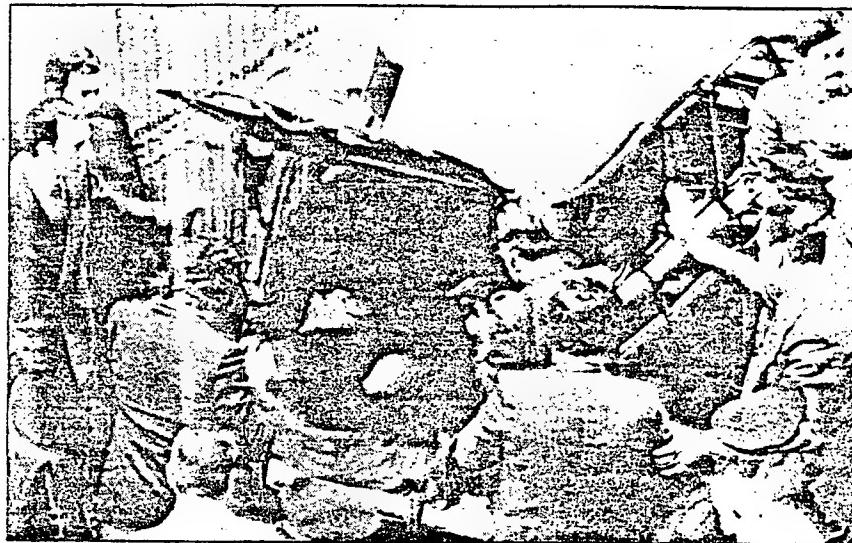
The notes, purportedly lifted from a confidential report prepared by Secretary of State Cyrus Vance, harshly criticized Sadat and other Arab leaders. In the fictitious Eilts letter, Eilts tells Stansfield Turner, director of the Central Intelligence Agency, that if Sadat ceases to be of use to the U.S. "then we must repudiate him and get rid of him without hesitation."

In one more forged communication, Eilts tells the State Department that Sadat's "leadership style leaves much to

be desired and this could be an obstacle to our plan for a settlement in the Middle East." The cable goes on to say that Sadat's associates "are shocked to see that recently he has displayed reluctance to read the reports, analyses and proposals prepared on the country's affairs, or to devote proper attention to the country's problems."

In August of 1977, says the CIA, the Egyptian Embassy in Belgrade received a photocopy of a forged dispatch bearing the letterhead of the U.S. Embassy in Teheran. In it, the embassy staff reported that Iran and Saudi Arabia were plotting to overthrow Sadat as part of a program to install conservative regimes throughout the Arab world. So authentic did the dispatch appear that an alarmed Sadat government fired off a query to the State Department.

"Some of these forgeries have taken swipes at other Arab governments and political forces, but on the whole they



Days after Aldo Moro's body was found, a forged Army manual was used to link the U.S. to terrorists who claimed credit for the murder of the former Italian Premier.

have consistently sought to poison the well of U.S.-Egyptian relations," reports the CIA.

### Planting Rumors

The study abounds with examples of "covert propaganda" by the Soviets accusing the CIA itself of various misdeeds—primarily assassinating political leaders and others.

In 1979, the Russians planted an article in an Indian magazine suggesting that the U.S. spy agency assassinated the President of Bangladesh in 1975 and installed its own man as President. According to the story, the CIA's man was eventually found out and arrested by Bangladesh authorities, prompting the U.S. to threaten a cutoff in food shipments to the impoverished nation. The same year, the CIA was accused of involvement in the murder of a Cameroon oil executive, his wife and son. The agency says the Soviets prompted a story in a Cameroon newspaper that the two suspects charged with the crime "were mainly executioners of a CIA-type murder."

After the May, 1979, assassination in Iran of Ayatollah Motaheri, says the study, the Soviets inspired a story in a Lebanese newspaper claiming that the CIA had been behind that killing. Tass, the Soviet news agency, then quoted the newspaper's claim in its own dispatches describing the terrorist act. In the view of the CIA, this was a classic example of the Soviets planting a rumor, legitimizing it with publication outside the Soviet Union, then recycling it for the Kremlin's own use. □

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CHARTERS - PRO & CON

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350003-8

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ON PAGE 961

SCIENCE  
29 February 1980

# Congress Moves to Relax Curbs on CIA

*Proposed bills may allow academics to be used as agents*

Congress, acting in concert with the Carter Administration and in reaction to recent foreign policy problems, is backing away from the intelligence community reforms it proposed after the revelation of Central Intelligence Agency (CIA) and Federal Bureau of Investigation skullduggery in the mid-1970's. Sensing a shift in the mood of the public at large, the Congress no longer supports restrictions on the use of covert intelligence actions to influence world events, or the normalization of contacts between spies and university professors, or the disclosure of historical and nonessential information about what the CIA has been up to.

The Senate Select Committee on Intelligence introduced legislation on 8 February that abandons these reforms and also permits the burglary and wiretapping of U.S. citizens both at home and abroad under certain circumstances without a court order. Earlier prohibitions on the use of university professors as covert spies—which some leading spokesmen for the academic community decried as too weak—have now disappeared. Nothing in the proposal prevents the CIA from paying a professor to gather intelligence or to conduct secret intelligence operations without the knowledge of the school at which he or she is employed. Similarly, nothing in the bill prevents the CIA from conducting extensive background investigations of foreign students on American campuses without their knowledge, so long as they are being considered as potential agency recruits. Referring to the pleas of Harvard University president Derek Bok for guidelines along these lines, Senator Walter Huddleston (D-Ky.), a principal sponsor of the bill, said, "We just threw the ball back in Mr. Bok's court." Huddleston said that academic institutions were welcome to create their own prohibitions if they wished, but that it would not be done at the federal level.

The House intelligence committee is at present considering a much narrower bill than the Senate's, but one that is similar in one respect: It exempts the CIA

from most of the Freedom of Information Act, by permitting it to exclude the majority of its files from the data search mandated by a freedom of information (FOI) request. The only exception is information about the requester, which will still be supplied.

John Rosenberg, a historian in Washington and adviser to the Organization of American Historians, calls this exemption "an absolute disaster and a fraud. No one has yet demonstrated that the FOI has caused the problems the agency says it has. It's kind of like coming home and kicking the dog because you had a bad day at the office." Congress, he says, has little awareness of the importance of the FOI act to historians researching CIA-related topics. Noted works that depended on information gathered under FOI include Allen Weinstein's investigation of Alger Hiss, William Shawcross's book on Cambodia, and Peter Wyden's book on the Bay of Pigs.

The House bill also features a unique proposal, one that is strongly backed by the CIA but which the Justice Department has suggested is unconstitutional. The bill prohibits the disclosure of the names of CIA operatives or sources (including, presumably, professors), on penalty of criminal trial. Unlike the Senate's proposal, the ban is not restricted only to current and former federal employees with access to classified information; journalists and agency critics alike would be covered if they "intend to impede the foreign intelligence actions of the United States." Press disclosures about agency personnel involved in the Bay of Pigs invasion would presumably have fallen under this provision.

Each bill is being considered against the backdrop of American foreign policy reversals in Iran and Afghanistan, although the relevance of the reforms to these events is at best uncertain. Congress became galvanized when President Carter interrupted his January State of the Union Address to say, "We need to

remove unwarranted restraints on America's ability to collect intelligence." Although Carter used the words "collect intelligence," his reference was to a 1974 law that restrained the use of covert intelligence action. The law did this by requiring that the CIA inform eight congressional committees, a large enough group so that the agency has worried constantly about security leaks. David Aaron, Deputy Assistant for National Security Affairs, told *Science* that removing the notification requirement is a long-standing concern of the President, "but when you find the Soviets stirring up trouble in Iran, doing more than that overtly in Afghanistan, taking aim at Pakistan, working with the East Germans and the Cubans in North Yemen, which is ultimately aimed at the Saudis, you have to have some action to deal with that." The Senate bill requires that only two committees be apprised of covert actions, although the White House believes even this is too much.

Concern about ties between the academic and intelligence communities was aroused by the publication in 1976 of the Church committee report, which in heavily censored sections reported that the CIA was "currently in contact with many thousands of U.S. academics at hundreds of U.S. academic institutions." Although most of the professors were used for recruiting and consultations on foreign affairs and science, some were being used to write and distribute propaganda, and several were being used abroad to "serve operational principles, primarily the collection of intelligence." Records released under FOI reveal the agency was particularly interested in the topics of mathematics, optics, climate forecasting, chemistry, and medicine, including virus research. The committee recommended not only that all researchers be informed when their funding came from the CIA budget, but also that the administrators at each school be informed of contacts between the agency and individual professors.

This led to the well-publicized attempt by Bok at Harvard to institute notification requirements and contractual limitations. CIA director Stansfield Turner refuses to abide by these guidelines (*Science*, 1 September 1978) and has organized a series of meetings with university presidents at the CIA headquarters in an attempt to dissuade them from enacting similar controls. Former University of Michigan president Robben Fleming received a letter from Turner in 1978, that said that operational use of academics is rare; Turner said having the capability was important in order to "assist the escape of an Einstein or a Solzhenitsyn from an oppressive homeland," or to provide "the kind of strategic warning I am charged to provide regarding crises in our international relations, or such information as this Agency can obtain regarding transnational terrorist organizations." (This letter was released as the result of an FOI request.)

Huddleston says the wishes of the academic leaders were overlooked in the legislation because the CIA could cite instances where a great deal might be gained by using the professors as spies. "We looked at the practicalities and just decided differently, that a flat prohibition is not called for. It certainly doesn't prevent a ban by such institutions on their own." He added that the bill does bar the agency from placing its regular employees in academia solely to provide an intelligence cover.

Huddleston said the agency's exemption from the FOI act was proposed because foreign intelligence agents had initiated some of the requests. CIA spokesmen have declined to provide examples, claiming that to do so would confirm the value of the information thus obtained. David Aaron notes that whether or not such requests existed, "The law scares the hell out of friendly governments" who fear their cooperation might be exposed despite the numerous existing exemptions for national security information.

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Morton Halperin of the Center for National Security Studies, which has used the law to obtain files embarrassing to the CIA on numerous occasions, termed the proposed exemption "a disaster. I think they just find it inconvenient. Administratively, it's a burden." John Blake, a former acting director of the CIA, appeared to confirm this in 1977 testimony before Congress:

"The (disclosure law) and the ensuing public interest constitute a somewhat traumatic experience for the national intelligence officer who had been trained and indoctrinated to conduct his work in secrecy."

Huddleston, who is considered one of the committee's moderates, says that although "the shackling of the intelligence agencies has been somewhat overstated, I am hopeful that recent world events have given the intelligence charter a major impetus." The committee plans to hold hearings in a few weeks and to report out a comprehensive bill by spring. The more limited House bill is given a better chance of ultimate congressional approval; however, most congressmen appear to favor as little restriction on the agency as possible.—R. JEFFREY SMITH

ARTICLE APPEARED  
ON PAGE 4THE CHRISTIAN SCIENCE MONITOR  
28 February 1980

# CIA running 'lots' of covert actions, but not subversion

By Daniel Southerland  
Staff correspondent of  
The Christian Science Monitor

Washington

Jimmy Carter came to office sounding skeptical about the secret operations of the American intelligence agencies.

And, if one is to believe senators and congressmen responsible for overseeing such operations, Mr. Carter kept cloak and dagger work to a minimum during his first 2 1/2 years in office.

But now the US Central Intelligence Agency (CIA) is running "lots" of so-called covert operations, according to a congressman who chairs the subcommittee in the House of Representatives intended to oversee such activities.

US Rep. Les Aspin (D) of Wisconsin, whose subcommittee comes under the House Permanent Select Committee on Intelligence, says, however, that most of the Carter administration's new covert operations are in the propaganda field.

Mr. Aspin declined to comment on press reports that the US secretly began in mid-January supplying Afghan rebels with light infantry weapons. According to the New York Times, the decision to send arms to the insurgents was made by the special coordinating committee of the National Security Council, chaired by Zbigniew Brzezinski, the President's National Security Adviser. It was described as the first CIA operation of its kind since the Angolan civil war of 1975-76, when it secretly supported two factions fighting Soviet-backed forces there.

(A book written by John Stockwell, one-time chief of the CIA's Angola task force, later revealed that the agency's operation in that country combined a no-win policy in Washington with botched action in the field. Money was wasted on such things as ice plants, fishing boats, and a yacht. Rockets misfired. Mercenaries refused to fight.)

In an interview prepared for broadcast over National Public Radio (NPR), Representative Aspin, a liberal with a reputation

for fighting Pentagon waste, said the CIA has not gone back to conducting paramilitary operations such as it undertook in Laos in the 1960s and '70s. There, CIA advisers armed and helped organize an entire "secret army" of Hmong tribesmen fighting the North Vietnamese. The US cut support for the Hmong when the Indo-China wars ended, and the tribesmen have been fleeing Laos by the thousands.

"I think we're out of that business permanently," Mr. Aspin declared.

The congressman also indicated that the CIA is not back in the business of subverting governments but is instead engaged, for the most part, in operations that are "less dramatic."

Mr. Aspin said the upsurge in covert operations has come over the past six months or so, in part because of the Carter administration's frustration with a number of developments overseas.

He described covert operations as intermediate steps, in a realm somewhere between diplomacy and the use of military force, that are designed secretly to influence overseas events. As an example, he said the CIA might try to influence a given government to place a person friendly to the United States in a key Cabinet post.

Mr. Aspin's disclosures come at a time of much debate over whether Congress should loosen certain restrictions on the CIA. He said he is not opposed to some of the changes that are being proposed but would like to see them made only as part of a comprehensive charter of "do's and don'ts" for the CIA.

Mr. Aspin said it was nonsense to argue that the CIA has been hobbled because eight Senate and House committees have the duty of overseeing its secret operations. The Carter administration wants to reduce the number of such committees to two.

In reality, Mr. Aspin said, only three of these committees are intensively involved in oversight, while notification of such operations is limited on other committees to only a few members.

ARTICLE APPEARED  
ON PAGE 14ADETROIT FREE PRESS  
25 FEBRUARY 1980

# SECRETS : Let's not forget the days when the CIA and FBI had too many

WITH RUSSIAN troops in Afghanistan and Americans held hostage in Iran, it's tempting to believe U.S. prestige could be restored and domestic interests protected by simply unencumbering our intelligence agencies. Questionable as such a hypothesis is, support for it seems to be growing.

A recent Justice Department report provides a timely reminder of the dangers inherent in allowing intelligence agencies to operate outside of the law. The report indicates that former FBI director J. Edgar Hoover blocked prosecution of four men suspected of killing four black children in the bombing of a Birmingham church in 1963.

It appears that Mr. Hoover decided on his own that it was best to limit access to information on the possible involvement of the four men. Mr. Hoover, again acting on his own, OKed the recruitment of informants who violently intimidated civil rights workers. Other records have established his policy of disrupting groups he considered undesirable, and of trying to destroy leaders he didn't like.

Mr. Hoover was able to do such things,

because he was allowed to bend or break laws as he went along. In emotional times like the present, there is a danger that the nation, in its search for a panacea, will forget some hard-earned lessons from his time.

One is that an institution without accountability is very likely to abuse its powers, even if it is supposed to protect our rights. This does not mean the FBI and CIA must proclaim all their plans from the highest mountain. Indeed, Congress is likely to whittle down considerably the number of committees to which the CIA reports covert actions.

It would be a mistake, however, for Congress to relinquish all oversight responsibilities — as some CIA spokesmen have recommended — over major covert actions. It would also be in error for Congress to OK an FBI charter that did not spell out FBI liability for violations of civil rights.

This nation has made its share of mistakes in organizing intelligence agencies in the past. By keeping that in mind, we can avoid making even greater mistakes in the future.

ARTICLE APPEARED  
ON PAGE E-19

NEW YORK TIMES  
24 FEBRUARY 1980



Eugene Mihaesco

## Authorizing Abuse

By Morton H. Halperin

**WASHINGTON**—What do the sugar lobby, Joseph Kraft, the antiwar movement, Daniel Schorr and Spiro T. Agnew have in common?

All of them of course were subject to surveillance by United States intelligence agencies.

These investigations are the kinds of abuses that a comprehensive intelligence "charter" of the type introduced in the Senate with Administration support is designed to prevent.

However, those under surveillance have two other things in common: The investigations were conducted at the direction of a President and they would all be authorized under the proposed national intelligence legislation designed to serve as a charter.

Intelligence reform has often been thought of as a means to curb the tendencies of the intelligence agencies to spy on their fellow Americans. Certainly there have been such abuses, but at least as often the impetus for surveillance has come from the White House.

A primary purpose of a charter must be to provide guidance to the intelligence agencies about what kind of Presidential pressure should be resist-

ed. Congress must tell the intelligence agencies and the President what targets are off-limits in a democratic society.

Whatever its effect on the ability of the Central Intelligence Agency to better analyze foreign events — and most observers think the effects will be minimal — the proposed charter fails dismally in the Presidetially proclaimed objective of preventing abuse.

The charter authorizes the surveillance of Americans and the use of techniques such as wiretaps, burglaries, buggings and what are described as less-intrusive techniques such as infiltrating organizations, using informants, gaining access to records, and physical surveillance in a bewildering variety of circumstances. Together they seem to cover all of the past abuses but by authorizing them rather than prohibiting them.

Consider Joseph Kraft. The noted columnist was in Paris interviewing representatives of Hanoi's Government. The White House wanted to know what they had said to him and did not trust Mr. Kraft to tell them. The Federal Bureau of Investigation was dispatched to bug his hotel room.

Even the Nixon White House knew that this was improper and sought to keep it secret. The National Intelligence Act of 1960 would permit it. The act provides that a judge is to issue a warrant for bugs, wiretaps and burglaries abroad if the President certifies that the information sought is vital to the national security even if the target is doing nothing illegal and has no connection with a foreign power. The new procedure would apply to journalists, businessmen and private citizens.

Take Daniel Schorr. The F.B.I. investigated him at the request of the Nixon White House, which claimed that he was being considered for a job. The proposed bill would authorize such surveillance. Nor were such tactics limited to the Nixon Administration.

Vice President-elect Spiro T. Agnew came under F.B.I. surveillance because President Lyndon B. Johnson thought that he was in league with the Government in Saigon. Such surveillance could be conducted under the proposed charter as an investigation of the unauthorized disclosure of classified information or as an investigation of one engaged in "clandestine intelligence activities."

The antiwar movement could have come under investigation as well in the latter category since "clandestine intelligence activity" is defined to include lawful political activity if it is done for a foreign power and that fact is concealed. Since President Johnson believed that the antiwar movement was controlled by Hanoi, all of those involved in the movement could have come under surveillance lawfully if the "reform" charter were in effect. Moreover, if such activists traveled abroad they could have been wiretapped, bugged or burglarized if the Justice Department was able to persuade a judge that they were acting for Hanoi.

President John F. Kennedy wanted to know what the sugar lobby was doing on behalf of foreign governments to affect sugar quotas. That F.B.I. investigation would be authorized under a provision that permits the use of all but the most intrusive techniques to gather foreign intelligence information from law-abiding citizens in the United States.

Critics of the present charter are not seeking to hamper the C.I.A.'s ability to gather intelligence from foreign sources abroad or to analyze that information. What they do seek are standards for the surveillance of Americans that will prevent abuses of the past and not authorize them. On these grounds, the present draft is an utter failure.

Morton H. Halperin, whose home telephone was tapped for 21 months at the direction of President Richard M. Nixon, is Director of the Center for National Security Studies, a public-interest organization that seeks to ensure that American intelligence agencies operate within the Constitution.

ARTICLE APPEARED  
ON PAGE A8THE WASHINGTON POST  
24 February 1980

# Byrd Assails Withholding CIA Material from Hill

By Joanne Omang

*Washington Post Foreign Service*

Senate Majority Leader Robert C. Byrd Jr. took issue yesterday with the Carter administration's announced intention to keep Congress in the dark about planned CIA operations.

At his regular weekly news conference, the West Virginia Democrat said he was "puzzled, concerned and disappointed" at CIA Director Stansfield Turner's revelation last week that much advance information has been withheld.

"This doesn't square with what [Turner] said he would do during his confirmation hearings," Byrd said. Turner told a Senate committee that proposed CIA charter legislation was too restrictive in requiring advance notice to Congress of all "significant" CIA operations.

Turner insisted he had never promised to comply with an advance notice requirement in an earlier Senate resolution; only that he had promised to try to comply.

Byrd acknowledged that "too many members of Congress are now in the channel for receiving information" and said the number should be reduced, even though many so-called leaks could be traced to the Pentagon and the Justice Department and not to Congress.

Legislation offered by Sen. Walter D. Huddleston (D-Ky.), Byrd said, would provide a "very reasonable" requirement for advance notification of only House and Senate minority and majority leaders and of the party leaders in the two intelligence oversight committees.

"The CIA should not be given carte blanche," Byrd said. "There must be some accountability."

He complained that he had never been personally informed of any covert CIA actions and thought that he should have been. "If congressional leaders can't be trusted to keep national security secrets... we've come to a very bad state of affairs in this country," he said.

Turning to the Abscam controversy, Byrd said he saw no way for Republicans to make political capital out of



SEN. ROBERT C. BYRD

"disappointed" in CIA chief

their quick action in disciplining the lone GOP target, Rep. Richard Kelly (R-Fla.).

"This should not be a partisan issue," Byrd said. He pointed out that a Democratic administration had brought the charges against the predominantly Democratic members of congress allegedly involved.

The majority leader continued to offer hope that the windfall profits tax on oil companies might be voted next week. And he said he still hopes for adjournment in October.

ARTICLE APPEARED  
ON PAGE A-18NEW YORK TIMES  
24 FEBRUARY 1980

## Byrd Insists on Prior Notice of C.I.A. Covert Steps

By EDWARD COWAN  
Special to The New York Times

WASHINGTON, Feb. 23 — Robert C. Byrd of West Virginia, the Senate majority leader, threw his weight today behind a Senate bill that would require the President to give advance notice of covert intelligence operations to at least a few members of Congress.

Mr. Byrd's insistence that there be "accountability" by statute rather than by informal arrangement intensified a split between the Carter Administration

and Senate sponsors of a proposed legislative "charter" for the Central Intelligence Agency.

Senator Byrd, who is an ex-officio member of the Senate Intelligence Committee, took pointed exception to opposition expressed Thursday by Adm. Stansfield Turner, Director of Central Intelligence, in testimony before the committee.

### No Carte Blanche

The Congress, Mr. Byrd said, will not "give that agency or any other agency carte blanche, just a blank check."

Wearing a bright red corduroy shirt, Senator Byrd discussed the C.I.A. with feeling and at length at his usual Saturday press conference. On other subjects, he made these comments:

"Wage and price controls, if authorized by Congress, would not hold down rising costs of imported oil, which he seemed to regard as the chief cause of inflation. He also reported no buildup of Congressional sentiment for controls despite large rises in wholesale and retail prices in January." Senator Edward M. Kennedy has told

him that after the New Hampshire primary on Tuesday he will come to the Senate floor to manage the criminal code revision bill "for two or three days." He quoted Mr. Kennedy, who is chairman of the Judiciary Committee, as saying that other members could manage the bill.

"Once the American hostages in Teheran were released, President Carter "would have to think about getting out of the Rose Garden, getting out on the stump." He said Mr. Carter "is a good campaigner" and "would like it."

### Opposes Unreasonable Restraints

In discussing the intelligence agency, Senator Byrd expressed sympathy for the Administration's contention that the agency has been restricted excessively, but he insisted on prior notice.

"Unreasonable restraints ought to be removed from C.I.A. operations," he said.

He said that "the pendulum swung too far" in the 1970's toward control of the agency, and he asserted there were "too many members of Congress and too many committees that are in the channels for being informed."

But "protection for C.I.A. operations" and "adequate accountability" to Congress are compatible, Mr. Byrd argued, pointing out that a bill sponsored by Walter D. Huddleston, Democrat of Kentucky, and Charles McC. Mathias Jr., Republican of Maryland, would limit required initial notification to eight members of Congress.

Notification, he said, "doesn't mean the Administration has to get approval or give all the details."

Senator Byrd said Admiral Turner's statement Thursday that Congress had not been informed of covert operations "didn't square" with his testimony at his confirmation hearing in 1977 when he left the impression that he would comply with a Senate resolution calling for prior notification. Senator Byrd commented that a resolution lacked the force of law.

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ON PAGE B7

THE WASHINGTON POST  
24 February 1980

*Les Aspin*

## Covert Acts Need Even More Oversight

From the stories I've been reading in the papers lately, I get the distinct impression that the greatest danger to our intelligence system is the U.S. Congress.

Every week there are more expressions of shock and concern over the fact that the Central Intelligence Agency has to tell eight committees about any covert operations it is undertaking, that the Freedom of Information Act is forcing the CIA to divulge its secrets and, consequently, that leaks and information released under the act have paralyzed the CIA at a time when we need to undertake more covert action.

I believe there is a case to be made that Congress needs to revise the way it oversees covert action. But the problem is not that congressional oversight is too strict already; the problem is that it is not strict enough yet.

The popular CIA argument—that the 1974 Hughes-Ryan amendment, which requires that covert actions be reported to eight congressional committees, prevents covert action because of fears of leaks—is a red herring.

Contrary to published reports, the Hughes-Ryan amendment does not mean that 160 or 200 members of Congress and staff are told of these operations. In fact, only three of the eight committees (the House and Senate Intelligence committees and a House Appropriations subcommittee) systematically review covert actions. In the other committees, notification is limited to a few members. In all, notifications in the House go to 27 congressmen and nine staff members and in the Senate to 19 senators and eight staff members.

This is not an unreasonable number to be briefed about so crucial a matter of public policy as covert actions. The key to avoiding disastrous covert action is the assurance that a cross section of people will consider it. A number of covert operations blew up in our faces in the past because they were terrible ideas to begin with. They were put together by a handful of true believers who prevented anyone who might question their judgment from having a say. The Nixon administration, for example, set up the 40 Committee to oversee intelligence operations. But when the White House had an inspiration it thought some members of the committee might find less than inspiring, it simply bypassed the committee. That's how we got Track II in Chile and how we first helped and then cynically shut off help to the Kurds.

To be sure, the requirement to brief congressional committees is no guarantee that foolish covert actions will be avoided. The committees do not have and are not seeking the power to veto an intelligence operation, nor do they have any unique wisdom. But bringing more people into the process forces those

*Rep. Aspin, a Democrat from Wisconsin, was a member of the Pike Committee, which investigated the intelligence services in 1975-1976, and is now chairman of the House subcommittee that oversees covert operations.*

doing the planning to think through what they want to do, to confront arguments against it and open them up to opposition or ridicule if they have a dumb proposal. A reporting requirement probably would have prevented some of that foolishness against Castro, for example.

Of course, the more who know of an operation, the greater the opportunity for leaks. But where are all these leaks supposedly caused by Hughes-Ryan? We are doing a fair amount of covert operations now and have been for some time; they are not being leaked. I have sat through whole days of briefings on covert actions and never seen anything about them in print. What I do see, however, are articles saying the nation is paralyzed because of Hughes-Ryan.

There is a need to change Hughes-Ryan. But such changes should be aimed at strengthening oversight. Two are of particular importance.

First, Hughes-Ryan says that, unless Congress is notified, no money may be spent by "the Central Intelligence Agency for operations in foreign countries, other than activities intended solely for obtaining necessary intelligence."

That neatly provides two loopholes. One is that covert operations could be assigned to intelligence agencies other than the CIA—and there are lots of them. (How many people are aware that the Drug Enforcement Administration has intelligence agents all over the world?) The other loophole is that sensitive intelligence collection operations are exempt from such review, although one of the biggest intelligence flaps in modern history—the downing of Gary Powers' U2—involved an intelligence-collection operation.

Hughes-Ryan erroneously assumes that intelligence collection is neutral and that foreign policy can only be tripped up by covert action—defined in the profession as programs designed to influence the outcome of events through clandestine activity ranging from propaganda to paramilitary.

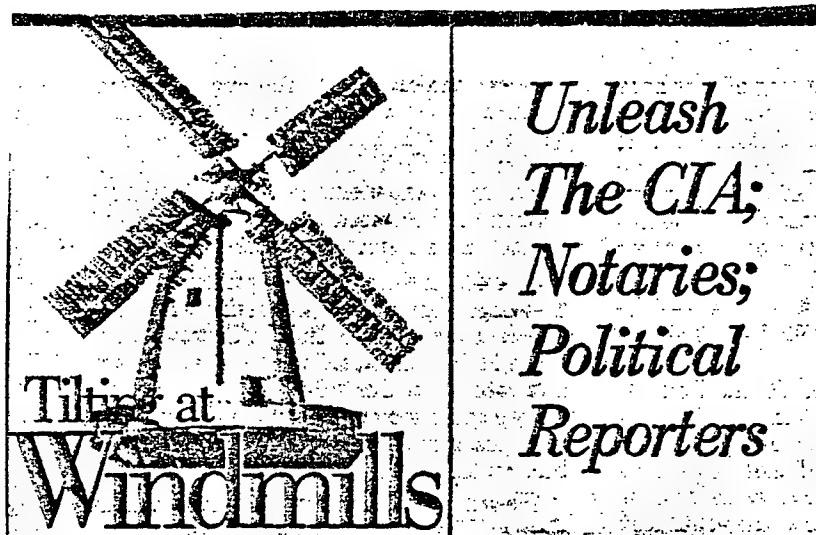
Hughes-Ryan should be amended so that congressional committees—be they two or eight or something in between—are informed of both covert action and intelligence collection mounted by any agency of the government.

Second, Hughes-Ryan says that Congress should be notified "in a timely fashion." This is a term of art that doesn't tell us whether congressional committees should learn about an operation while it is being planned or only after it has gone into effect. It can be interpreted to mean that Congress will be notified after the event has taken place. One wag has suggested that "Congress should at least be told before the operation blows up in our faces so they get hit by some of the shrapnel too." Hughes-Ryan should be amended so that Congress is informed before any covert action is launched.

CONTINUED

Many in the intelligence community would prefer to return to the good old days; the fewer people it has to go to the better, in its eyes. I might note that most school superintendents would prefer not to have to run their ideas past school boards. Most corporate presidents would just as soon skip those meetings with the board of directors.

But whether we plan covert operation, corporate strategies or congressional campaigns, we're better off in the long run if our ideas get sponged down by outside critical minds. It might not be great for the ego, but it provides a better end product.

ARTICLE APPEARED  
ON PAGE B2THE WASHINGTON POST  
24 February 1980

By Charles Peters

THE CURRENT discussion about removing restraints on the CIA reminds me of the 1950s, when the talk was about unleashing Chiang Kai-shek and the image evoked was of an efficient military machine straining at its shackles, ready to leap across the Formosa Strait and devastate the Reds. The catch was that in prior engagements with the Communist armies, the generalissimo's forces had a batting average of around .150. The situation at the CIA is not unsimilar, only its average may be a bit lower. Recall its wrong predictions — that the shah was secure in 1978, that Vietnam would not collapse in the spring of 1975, that war would not break out in the Middle East in the fall of 1973 — and the grotesque mixture of evil and clownishness that characterized its assassination attempts. And think for a moment — can you name even three major actions of the CIA that were both wise and effective?

There is always the argument that it's better to assassinate a Hitler than to fight a world war. That sounds persuasive, but my guess is that if we'd had the CIA in the '30s, it would have tried to assassinate not Hitler, but Tito, de Gaulle and Count von Stauffenberg. By 1944, of course, when von Stauffenberg carried his bomb-filled briefcase into a meeting with Hitler, the CIA's parent agency, the OSS, was in action. Of this we can have no doubt. Who else would have moved the briefcase away from the führer the precise distance necessary to let him escape unharmed?

ARTICLE APPEARED  
ON PAGE 6

EDITOR & PUBLISHER  
23 February 1980

## Beware of CIA bills

Editors should know that different versions of legislation to control the activities of the Central Intelligence Agency vary considerably.

The charter legislation introduced by four members of the Senate Select Committee on Intelligence—Senators Huddleston, Mathias, Bayh and Goldwater—will forbid CIA agents to pose as journalists, academics or clergymen, as reported in E&P last week on page 52. However, the CIA would be allowed to pay members of those professions for spying.

On the other hand, a bill introduced by Senator Patrick Moynihan and six other Senators does not contain any specific prohibition against the use of journalists as intelligence agents.

Neither of these bills is satisfactory in its provisions about newsmen, in our opinion. But it is important to remember which bill does what to whom.

The use of journalists as intelligence agents has long been a sore subject with the press. As we and others have stated, any hint or suggestion of CIA involvement on the part of any journalist will not only destroy his or her usefulness as an independent reporter but will cast a shadow on the reliability and integrity of every other foreign journalist.

Only a bill that clearly and forcefully declares that CIA agents may neither pose as journalists nor purchase the services of a journalist will be acceptable to the press.

Both the Huddleston and Moynihan versions contain provisions which would prohibit the press from publishing certain information about the CIA or would permit agents wide latitude in tapping reporters' phone lines, stealing information from them, etc. It shouldn't be necessary to point out that forbidding publication is prohibited by the First Amendment whereas stealing is a criminal offense for everyone else and should be for CIA agents, as well.

We're in favor of restoring some freedom to the CIA to do the job it was originally intended to perform. But, permitting the CIA to rely on journalists and the press to do its dirty work is not the way to do it.

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ON PAGE 2-4

LOS ANGELES TIMES  
22 FEBRUARY 1980

# CIA Chief Criticizes Proposed Charter

## Says Prior Notification Rule Could Have 'Chilling Effect'

By JOHN H. AVERILL  
Times Staff Writer

WASHINGTON—CIA Director Stansfield Turner, Thursday criticized provisions of a proposed CIA charter that would require Senate and House intelligence committees to be notified in advance of covert intelligence operations.

He told the Senate Select Committee on Intelligence that the prior notification requirement could have "a very chilling effect" on CIA operations.

Under questioning, Turner disclosed that he has not always kept Congress informed in advance of "anticipated activities." He did not amplify, and the committee did not pursue the matter because, as one member said later, "It is something very sensitive."

Turner was the lead-off witness as the committee opened 10 days of hearings on legislation that for the first time would spell out do's and don'ts for U.S. intelligence agencies—guidelines that are at present specified only in presidential directives.

The bill, introduced two weeks ago with bipartisan support, climaxed five years of deliberations over CIA abuses. It is being considered amid growing demands that the CIA be "unleashed" in the wake of the crises in Iran and Afghanistan.

When the bill was introduced, President Carter told the committee it had his "virtually complete agreement." But Turner went before the committee with eight objections to the legislation.

Visibly annoyed, Sen. Birch Bayh (D-Ind.), the committee chairman, said, "I'm surprised to see there are eight differences." Bayh said it had been his impression there were only two differences—the requirement for advance notice of covert operations and a provision barring CIA agents from posing as clergymen, journalists or academics.

Bayh asked if, apart from the eight objections, the Administration concurred with the rest of the 172-page bill. Turner replied that he had "a couple of small ones" that he

did not specify.

To this, Sen. Daniel Patrick Moynihan (D-N.Y.) interjected with sarcasm, "With the exception of those eight, is there anything left of the bill?"

Turner objected to the requirement that the two intelligence committees be notified in advance of covert operations.

"It would be difficult to look someone in the eye whom I was asking to risk his life when his safety depends on a number of people over whom I have no control," Turner said. "I wouldn't do it."

ARTICLE APPEARED  
ON PAGE 3

THE GUARDIAN (NATIONAL)  
20 February 1980

# CIA TO RETURN TO 'GOOD OLD DAYS?'

By BETSY STONE  
*Guardian Bureau*

Washington, D.C.

Legal sanctions for covert surveillance of innocent Americans—including burglarizing their homes, reading their mail, bugging their conversations and stealing their papers—may well be on the way.

Last week the Senate Intelligence Committee introduced its National Intelligence Act of 1980. The move signalled the government's unleashing of the CIA and a return to the "good old days" of secret wars abroad, spying at home, press manipulations and an agency cloaked in secrecy.

The legislation is the result of three years' work on a charter which details the authorities, duties and mission of the intelligence agencies.

The charter's original intention was to curb CIA abuse and protect civil liberties. The charter which has now been introduced, however, recognizes instead President Jimmy Carter's State of the Union call for the removal of "unwarranted restraints" on the intelligence agencies and a "tightening up" of controls on "sensitive information."

Although the Senate Intelligence Committee and the administration have been working jointly on this legislation, the charter introduced last week was sponsored by the intelligence committee.

Several disagreements prevented the joint endorsement of the bill, the most fundamental concerning the question of congressional oversight. The administration is apparently unwilling to grant Congress the legal right to full access to any intelligence files and "information or material concerning U.S. intelligence activities." Carter reportedly believes this requirement would encroach upon his powers.

The charter also provides for a general requirement of "prior notice" to the House and Senate Intelligence Committees before the agency conducts any "significant" covert activity. Although the charter reduces current oversight requirements and provides an exemption of prior notice in "extraordinary circumstances," Carter continues to press for freedom to act without prior notification in various other circumstances.

Sen. Charles Mathias (R-Md.), a key sponsor of the bill, has stressed the need to reconcile Senate and administration difference. "In drafting this charter, the intelligence committee looked to the Constitution . . . and the need for separate and coordinating decision-making between the President and Congress," said Mathias. "If that constitutional scheme is to work, the minimum you need is to share the most vital information. We don't need to know everything, but we must have the right to know."

## OBJECTIONS TO BILL

Civil libertarians and critics of the bill are skeptical, however, that the bill adheres to the Constitution. They object primarily to the bill's authorization of "positive foreign intelligence collection," i.e., surveillance of law-abiding Americans solely to gather important national security information. Under the proposed charter:

- The FBI could break into homes, eavesdrop and open the mail of Americans suspected of being "agents of a foreign power." Such activities would be authorized by secret warrants issued by a special court.

- The CIA could conduct burglaries, tap phones, open mail and use other "covert techniques" to obtain foreign intelligence information suspected of being in the possession of Americans abroad, even if such persons are not suspected of any wrongdoing. These activities would also have to be authorized by a special court.

- Americans could be secretly investigated by the intelligence agencies under the guise of being considered for use as sources or agents, or because they are believed to be targets of a hostile intelligence service. The FBI used this justification in attempting to defend its surveillance of Martin Luther King Jr.

- Beyond the problems of authorization for covert surveillance against Americans, the bill contains provisions which would:

- Ban assassinations but leave open a wide range of possibilities for special operations in foreign nations.

- End public access to countless CIA documents by creating a virtually blanket exemption in the Freedom of Information Act (FOIA) for operational intelligence files.

- Curtail the reporting requirements of the Hughes-Ryan Amendment of 1974 which requires that eight congressional committees be notified about CIA covert operations "in a timely fashion." (This has come to mean that the committees are often told in advance about an operation, but prior notice is not required. By last year, a total of seven committees were receiving this information, after the House Armed Services withdrew from the notification process.) The new legislation would require notifications only to the intelligence committees of both houses.

- Prohibit the paid use of American based journalists, clergy and academics as "cover" to engage in foreign intelligence activities. The legislation, however, doesn't bar "voluntary contacts or voluntary exchange of information" between these persons and intelligence agency personnel.

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### CONGRESSIONAL OPPOSITION

Upon introduction of the charter, Sen. Huddleston (D-Ky.), Chair of the Subcommittee on Charters and Guidelines, said: "It is the objective of the administration and the committee to move with a comprehensive charter." But it appears there is strong congressional opposition to any charter and strong backing for piecemeal legislation which would be less comprehensive but would provide the intelligence community with its major demands.

The Moynihan bill, an example of such piecemeal legislation, may have a better chance of moving through Congress than the National Intelligence Act. Like the charter, the Moynihan bill exempts the CIA from the FOIA and makes it a crime to reveal the names of agents.

The bill would also penalize private persons, including the press, for disclosing the name of an agent if the government could prove that the person acted "with intent to impair or impede the foreign intelligence activities of the U.S."

The administration, however, supports full prosecution for anyone who reveals the identity of an agent.

Perhaps, in an attempt to make his bill less controversial and to ease its passage, Moynihan has reportedly said he may remove the second clause of his "naming names" provision, having decided it was unconstitutional.

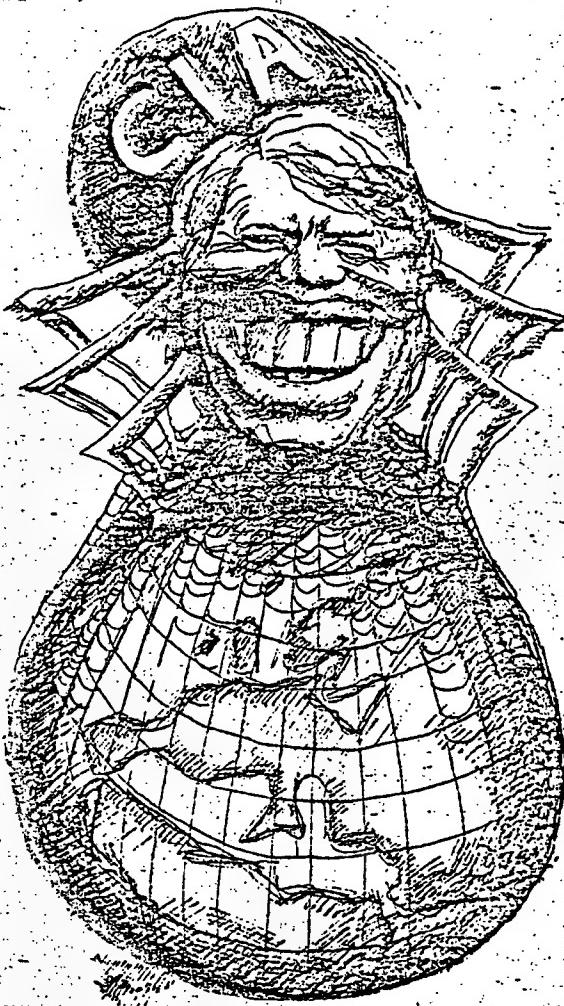
Like the charter, Moynihan's bill calls for repeal of the Hughes-Ryan amendment. But unlike the intelligence committee bill, it makes no attempt to impose "prior notification" requirements on the President or the CIA.

Aside from the Moynihan bill, there are currently eight other bills in Congress which would make it a crime to reveal the names of agents. The bills are aimed at prosecuting ex-CIA agents such as Phillip Agee and journalists who "name names" such as those who write for CovertAction Information Bulletin.

The proposed intelligence agency charter is symbolic of the diminishing concern in Congress and the administration for intelligence reform and the protection of civil liberties. It indicates growing acceptance of the belief that CIA covert operations are necessary to insure the protection of the national security.

However, when asked if a strengthened CIA could have prevented the events which have occurred in Iran and Afghanistan, Sen. Huddleston remarked: "I think that the shackling of the intelligence agencies has been overstated. There were reasons for the events in Iran that are unrelated to the efficiency of intelligence operations. Our intelligence collection was pretty good in Afghanistan. You can't guarantee that policymakers will make the right decisions. I can't see how Iran would have been substantially changed with a strengthened CIA."

Nevertheless, Huddleston's charter, in rushing to accommodate CIA supporters, is part of a package of right-wing proposals designed to enhance Washington's efforts to shore up its crumbling empire and counter the anti-interventionist public sentiment that followed the Vietnam war.



THE CLEVELAND PLAIN DEALER  
18 February 1980

# 'Unleashing the CIA'

Iran's revolution and the Soviet invasion of Afghanistan were defeats for U.S. foreign policy. And they were bad surprises. American intelligence failed. It must not fail again, and demands are heard to take off the shackles locked onto the CIA, the FBI and other national security agencies to end the abuses they committed in the mid-70s.

But "unleashing the CIA" could give CIA agents the right once more to do black-bag work without any outside control. They again could burglarize homes and offices, filch evidence, tap telephones, open mail and violate innocent citizens' privacy.

That is what brought on the present controls. Eight congressional committees have to be notified about any covert surveillance project. And the Freedom of Information Act (FOIA) has enabled the targets of surveillance to ask for and get the record of what eavesdropping went on and what it yielded.

To set up any covert snooping operation the intelligence agents must obtain a warrant from a special seven-judge federal court. They must believe their target is an agent of a foreign country or is about to commit a crime.

But anybody can put such beliefs and suspicions together if the atmosphere is right. Someone must have argued that they were justified in spying on church groups and labor unions. The American Civil Liberties Union found out through the Freedom of Information Act that it had been spied on by U.S. agents from 1920 to 1976.

Smears and spying by the FBI targeted the late Rev. Dr. Martin Luther King Jr. and anti-war

groups. The covert jobs included assassination attempts, mind-control experiments with LSD, anything to destabilize the enemy of the moment, as the intelligence agency or the president defined the enemy.

That kind of ungoverned cloak and dagger work certainly should not be countenanced in any new charter for intelligence agencies. President Carter has requested that the duties and responsibilities of intelligence agencies be spelled out as clearly as possible.

Essential in any such charter should be, first, prior notification to both the Senate and House intelligence committees of any anticipated covert operation; the other six committees now notified should be left out of it.

Second, there should be no blanket exemption of the CIA from the Freedom of Information Act provisions. There has been no evidence that the act requirements have hindered CIA work. And if it needs to, the CIA can use "danger to national security" as justification for keeping anything secret. Then it is up to an injured party to find a remedy through the courts.

Third, whatever the intelligence agents might do to find valuable facts should be permitted — but only where the security of the nation is genuinely at stake, and so stated by the president, and a proper warrant obtained before the job starts.

"Unleashing the CIA" would not give America magic power in world politics but, done properly, it could make trouble spots evident in time to act on them and it could rebuild popular respect for the intelligence agencies.

BALTIMORE AFRO-AMERICAN (MD.)

16 February 1980

# CIA threat on the rise

Sulking in anger ever since the civil rights movement, the anti-Vietnam protesters, and the Watergate episode caused Congress to "pull in the reins," the CIA has now decided that it will seek to regain its lost powers.

In a concerted attempt to win back some, if not all its former authority, CIA officials have gotten conservatives in both the House and Senate to sponsor three separate pro-CIA drives.

While the CIA's attempts to regain its ability to spy on both American citizens and foreign governments, conceal its maneuvers in secrecy and prosecute political protestors have been under way for some time, the Iranian and Afghanistan events have made the agency bolder.

In the Senate, the CIA has persuaded the Intelligence Committee to sponsor legislation that would abolish the present Freedom of Information Act. No longer would Americans be given

access to files in which they themselves were targets of CIA investigations. Further, the measure would close the files on other aspects of the agency, such as those which concerned the Kennedy assassination, drug experimentation programs, and spying on domestic citizens.

In the House, the CIA has persuaded the Intelligence Committee there to sponsor legislation which would impose strict controls on the press and anyone else who made public information about CIA activities or which, in the mind of the CIA, threatened "national security." Under this measure, even those who utter critical remarks about the CIA could be tried for "intent to impede" foreign intelligence activities.

And in both the House and Senate, the CIA has got support for the repeal of the Hughes-Ryan Rule, a ruling that required the CIA to get presidential approval

for any covert actions against any foreign government.

All these actions, if approved, would effectively bring back the good old days of secrecy and closed-door diplomacy. It would once again prevent Congress from learning what is going on, and keep any who do find out from opening their mouths.

And it would bring back the "reign of terror" which the CIA and FBI conducted against the Black Panthers, Dr. Martin Luther King Jr., anti-war demonstrators and protestors of all kinds.

Not only that, it would severely restrict the press. Two very important periodicals which have brought to light CIA and FBI shenanigans — "Counterspy" and "Covert Action Information Bulletin" — would immediately be forced to cease publication.

Freedom of speech, freedom of assembly and freedom of the press would all be placed on the chilling table.

JEFFERSON CITY POST TRIBUNE (MO)  
7 February 1980

## Rebuild the CIA

Sen. John C. Danforth, R-Mo., is cosponsoring legislation that will remove many of the restrictions that are now hampering the effectiveness of the United States Central Intelligence Agency.

Since 1974 covert activities of the CIA virtually have stopped because the agency has been required to reveal its activities to eight congressional committees with about 200 members. The 200 members of Congress in turn share the CIA secrets with members of their staffs. A leak of a proposed covert action by a disapproving member of Congress or a staff member would cause the secret CIA mission to fail. It also is possible that the CIA agents involved would be killed if the enemy discovered their identities. The result is that the CIA has ceased to function effectively since 1974.

Another problem has been the misuse of the Freedom of Information Act by communist spies. Dozens of U.S. intelligence employees have been tied up by thousands of inquiries. Many of these inquiries come from people who have no legitimate need for the information, such as representatives of communist embassies. Keeping track of our secrets has been so difficult that even our allies are reluctant to share secrets with the United States.

At a time of increased tension and communist aggression throughout the world, the need for intelligence information has never been greater. Saying "it is time that Congress undo this mischief," Sen. Danforth has cosponsored The Intelligence Reform Act of 1980. The bill would reduce the congressional committees which receive reports on covert actions from eight to the two intelligence committees of Congress. It will allow information requests to be made only for finished studies or reports. The measure is designed to cut down on "fishing expeditions" by spies and others.

Danforth's legislation also will create criminal penalties for anyone who divulges the name of a covert CIA agent if such information was learned as the result of authorized access. At least one CIA agent has been killed after he was identified. "If agents are willing to undertake jobs designed to protect our national security, we must protect their personal security," Danforth says.

Sen. Danforth's bill, which helps to remove the handcuffs from the CIA, is badly needed for our national security. It retains congressional oversight by one key committee in each house but at the same time it ends the severe problem of too much information going to Congress.

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MISCELLANEOUS

NEW ORLEANS TIMES PICAYUNE  
21 February 1980

CIA's People

Washington, D.C.

Editor, The Times-Picayune:

Your Feb. 6 editorial, "Recreating the CIA," has just come to my attention. It is another in a series of incisive comments which you have printed over time that show great sensitivity to the necessity — and resultant dilemmas — of operating a clandestine intelligence service on behalf of a free society.

You struck the right chord when you concluded that "the way to assure the CIA operates in the best tradition of the American character is to see that it is made up of people who embody that character." That chord is not often played, and is heard even more rarely.

The fact is that the Central Intelligence Agency is composed of hard-working, dedicated Americans drawn from all walks of American society who devote their lives — and in many cases have given their lives — to excellence in a most essential profession. It is they who have made and will continue to make the American model of intelligence work well. It is they who will preserve the dignity of their work in a quite undignified world, and who will keep theirs the finest intelligence service in the world.

HERBERT E. HETU,  
Director of Public Affairs,  
Central Intelligence Agency.

HIGH TIMES  
January 1980

# CIA Had Gas Chamber in '50s

by Martin A. Lee

LANGLEY, VIRGINIA—During the early 1950s, the Central Intelligence Agency constructed a gas chamber at an undisclosed location in the United States. The gas chamber was used to test lethal chemicals on human subjects.

According to previously classified documents obtained by *High Times*, the CIA considered "the possibility of "using gas chambers or airtight rooms as a means for rendering a subject unconscious." The memo suggests that gas chambers might provide a proper setting for secret mind-control experiments in which test subjects could be made to breathe a certain gas that would render them "more suggestible or pliable".

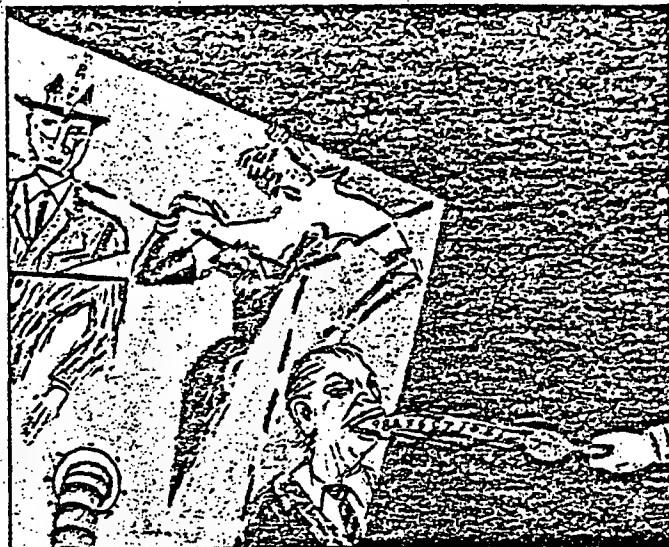
The memo continues by urging that such experiments be carried out "at a specially designed permanent-type installation," rather than at a normal CIA safehouse. This would solve numerous problems "such as the protection of the operator to prevent his being affected by the fumes and inherent dangers such as lethal dose, etc." Another document dated February 5, 1952, indicates that a gas chamber was under construction and would be ready for use "in the near future."

The gas chamber tests were conducted by the CIA's Office of Security as part of Operation Artichoke. The Artichoke program, which began in 1951 and continued through the mid 1950s, was oriented

primarily toward developing unorthodox special interrogation techniques involving the use of hypnosis in combination with various drugs, including LSD-25.

An Artichoke document dated April 11, 1952, refers explicitly to the use of gas chambers in oxygen-deprivation studies. Oxygen deficiency "affects the higher brain centers, resembling alcoholic inebriation. Some subjects become exhilarated, talkative, or quarrelsome, with emotional outbursts or fixed ideas. Some complain of headache or numbness. Voluntary coordination and attention are impaired, but perception, memory and discriminatory judgment remain good. Burns and bruises are not noticed." It is not known if the researchers inflicted the injuries themselves or just observed them.

An even lower oxygen range exaggerates these symptoms. "Nausea and vomiting may set in. Vigorous movements become impossible. There is ascending paralysis of motion,



then of sensation. The patient is bewildered and does not realize that anything is seriously wrong until his legs give way and it is too late to escape. He may then realize he is dying, but is indifferent. Consciousness is lost, with amnesia on revival."

Carbon dioxide was also studied for possible use in the program. If a room was relatively airtight, agency scientists postulated, it would be possible to gradually fill it with CO<sub>2</sub>, so that a person "might well become unconscious without being alarmed."

3 FEBRUARY 1980

# There's No Survival Without Intelligence

BY THOMAS GEPHARDT

Associate Editor of *The Enquirer*

**NO FEATURE** of President Carter's blueprint for bringing the nation's national-security apparatus up to date is likely to be more consequential than his proposal to "remove unwarranted restraints on our ability to collect intelligence and to tighten our control on sensitive intelligence information."

**FOR THE** grim fact is that very nearly every major foreign-policy embarrassment of the Carter administration has resulted from — or has been worsened by — the crippling of the nation's intelligence capability.

Take, for example, Cuba.

One of Mr. Carter's first acts as President was to order the discontinuance of SR-71 reconnaissance flights over Cuba — in the forlorn hope that U.S.-Cuban relations would thereby be improved. In addition to abandoning the aerial surveillance of Cuba, Mr. Carter ordered that Cuba be put into the "low-priority" category for human espionage.

\* \* \*

**ONE RESULT** is that the United States abruptly learned last fall that a Soviet combat brigade had been deployed in Cuba — many months after its actual deployment. The sudden discovery occasioned, everyone remembers, a mini-crisis in which Mr. Carter declared that the presence of Soviet combat forces in Cuba was "unacceptable" to the United States.

But other things had also been going on in Cuba. Soviet MIG-23 fighter-bombers were deployed; a second pier was constructed at the naval installation at Cienfuegos, capable of servicing two more Soviet submarines; an SA-3 Goa air-defense missile system was introduced, along with early-warning radar sites.

**THIS ACCELERATION** of Soviet military activity in Cuba — 90 miles from U.S. shores — has led the defense planning committee of the North Atlantic Treaty Organization (NATO) to conclude that Cuba now holds the potential of being a significant threat to U.S. oil-supply and shipping routes in the event of war.

The downgrading of U.S. surveillance of Cuba has also made it more difficult — if not impossible — to measure the volume of Cuban aid to Communist revolutionary movements elsewhere in the Western Hemisphere. It is impossible to know for certainty, for example, how much aid Fidel

Castro has shipped to the successful Nicaraguan revolutionaries. And the Carter administration's failure to order a revised national intelligence estimate for Nicaragua has added to that dearth of information.

Or take Iran, as another illustration.

**THE NATIONAL Security Record** published by the Heritage Foundation, a non-profit research organization based in Washington, believes:

"Two major reasons for the U.S. ignorance of the impending fall of the Shah of Iran last year were the refusal of the Carter administration to order the Central Intelligence Agency (CIA) to develop a competitive national intelligence estimate on Iran, and its overreliance on pro-government sources for domestic political intelligence. Prior to major cuts in U.S. clandestine collection personnel in the 1970s, contacts with opposition student groups and religious factions were considered a supplementary source of U.S. intelligence on Iran. Yet these personnel cutbacks, and the deliberate decision on the part of the administration to restrict U.S. intelligence contacts with the anti-shah opposition in Iran, led to very poor field intelligence reporting."

\* \* \*

**THE UNITED STATES** erred further in imagining that the Bakhtiar government, which was appointed by the shah to cope with rising unrest, would survive. That error accounted for the dispatch of Gen. Robert Huyser, deputy NATO commander, to Tehran to persuade Iranian military officials to support the Bakhtiar government.

As it turned out, Bakhtiar was overthrown, the shah had to flee and most of the Iranian military officials who listened to Huyser were executed by the new government dominated by the Ayatollah Khomeini.

"The lack of human intelligence in Iran among the radical student factions," says the Heritage Foundation, "in large measure explains why it took weeks before U.S. intelligence could confirm that pro-Marxist students, reportedly with international terrorist connections, were behind the [U.S.] embassy takeover."

Or take, as a final illustration, Afghanistan.

**THE MASSIVE** Soviet invasion of Afghanistan in late December required months of preparation. Yet it was only in late December — hours before the invasion — that the administration was able to acknowledge that the Soviet buildup was under way.

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**Other failures cited by the Heritage Foundation include:**

- A 25% underestimate of North Korea's military strength, which, when finally discovered, induced President Carter to abandon his plan to withdraw U.S. forces from South Korea.

- A faulty assessment of North Yemen's military ties to the Soviet Union, which allowed the administration to ship nearly \$400 million in military equipment to North Yemen. Now North Yemen is receiving large arms shipments from the Soviets.

**Why such a record of failure?**

No one has forgotten the wave of anti-CIA allegations and disclosures that occupied Congress and the media in the mid-1970s.

**AMONG THE** results of those inquiries and accusations was the forced retirement of some 2,000 of the CIA's most experienced officers, followed by the discharge of 820 (out of 4,500) members of the staff of the CIA's Deputy Directorate of Operations, which is responsible for covert actions.

Simultaneously, Congress enacted the Hughes-Ryan amendment to the Foreign Assistance Act of 1974. This enactment increased to eight the number of congressional committees involved in overseeing the nation's intelligence-gathering activities. Altogether, some 200 members of Congress thereby became conversant — in advance — with very nearly everything the CIA undertook.

The 200 represented all shades of political opinion — from ultraconservative to ultraleftist. Any lawmaker opposed to any of the CIA's projected enterprises had only to leak the operation to the press in order to scuttle it or to ensure its failure.

**THE HUGHES-RYAN** amendment presumably is one of the restrictions Mr. Carter now seeks to remove.

The CIA, with many of its veteran officers retired and its leadership pilloried, has tended to focus on the analysis of information rather than on covert operations overseas — a shift of emphasis that pleases the CIA's foes.

The open-season atmosphere among CIA critics led to the public identification of some of the CIA's operatives abroad and to the assassination of one of them — the CIA's chief of station in Athens. It also made the intelligence services of friendly nations reluctant to exchange information with the CIA out of fear that their agents would also be marked for exposure and retribution.

★ ★ ★  
**THE GATHERING** and appraisal of intelligence is one of the oldest functions of governments.

In the earliest days, of course, military commanders simply sent agents to the nearest hilltop to see what the enemy was up to. By the time Elizabeth I was queen of England (1558-1603), one of her courtiers,

Sir Francis Walsingham, had invested a share of his own fortune in building an apparatus to keep the English informed of what their enemies — and potential enemies — were up to, diplomatically as well as militarily.

A century later, in Queen Anne's time (1702-14), Daniel Defoe, best known as the author of *Gulliver's Travels*, had systematized intelligence in a way that made him the father of the British secret service.

**NAPOLEON OWED** much of his success to the skills of his intelligence apparatus — and so, in the end, did the nations arrayed against him.

In the American Civil War, two federal agents moved at will among the highest circles of the Confederacy and kept Washington informed about its diplomatic and military initiatives. For their part, the Confederates managed, during the first year of the war, to get within 48 hours a complete report of each of Lincoln's Cabinet meetings.

As warfare became more complex and sophisticated, so did intelligence work.

The Soviet Union is not the first enemy America has faced to preside over an international network of agents. But it is the first to rely as well on Communist Parties around the world to do its bidding — fomenting internal strife, discrediting or assassinating anti-Communist leaders, and otherwise serving Soviet interests.

**THESE CHALLENGES** have required a particularly vigilant and flexible U.S. intelligence arm. It has not been enough for U.S. intelligence agents to report what is happening abroad; it has been necessary, on occasion, to make things happen — which has required a covert branch of operations.

The seizure of U.S. hostages in Iran reflects the handicaps under which an American President operates without a comprehensive intelligence operation. For President Carter has had no practical alternative to sending in the Marines or putting up with the kidnapping. No other options — of the sort a covert capability might have offered — were available.

That is the bitter fruit of what has amounted to the unilateral disarmament of our intelligence agencies.

No one advocates a wholly autonomous intelligence organization, or a system not subject to tight civilian control. But neither will the nation's well-being be served by a goldfish-bowl intelligence organization constantly threatened by indiscreet disclosure.

**ON THE** intelligence front, America cannot afford more months of indecision and drift.

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ON PAGE 197*

THE NATION  
23 February 1980

# Future Secrets

Once again, from a new, if predictable, quarter, the Freedom of Information Act (F.O.I.A.) is under attack. The proposed foreign intelligence charter bill (S. 2284), which was unveiled by the Senate Select Committee on Intelligence on February 9, would almost totally exempt the Central Intelligence Agency from the act (except for individuals who request their own files), and the Federal Bureau of Investigation is expected to push for an amendment that would cover their "foreign" intelligence files (including the antiwar movement and the Communist Party investigation) as well. A similar section in Senator Daniel P. Moynihan's bill (S. 2216), introduced on January 24, would exempt not only the C.I.A. but also the F.B.I. and any other "intelligence agency or component" of the Government (see George Lardner Jr., "Moynihan Unleashes the C.I.A.," *The Nation*, February 16).

In the present charged atmosphere it hardly seems to matter that no injury to national security has been persuasively traced to the F.O.I.A. Indeed, only last year, C.I.A. Deputy Director Frank Carlucci told the House Select Committee on Intelligence, "It is undeniable that under the current F.O.I.A. national security exemptions exist to protect our most vital information." John Blake, deputy director for administration at the Agency, went even further. Testifying before a subcommittee of the Senate Judiciary Committee in 1977, Blake admitted that at first the act was traumatic for a service that was schooled in secrecy. But, he concluded, "We have been able to make the necessary adjustments. I am pleased to report that, in fact, I think the Agency is better off for it."

The F.O.I.A. may not have helped the Russians or the Iranians but it has enabled the American people to make the C.I.A. more accountable. Now that Washington is clamoring to jump on the cold-war wagon, the C.I.A. and its supporters in the Administration and the Senate have seized the chance to push F.O.I.A. in front of the crowd, hoping that it will be trampled to death in the mad rush. And no wonder. Of all the "leashes" restraining the C.I.A., none has proved more effective than the public scrutiny fostered by the F.O.I.A.

In the conclusion of his perceptive study, *The Man Who Kept the Secrets: Richard Helms and the C.I.A.*, Thomas Powers recalls the new day that appeared to be dawning because of the creation of an intelligence oversight committee in the wake of the Church committee's probe into C.I.A. abuses, but he questioned whether anything had really changed. "The worst blunders and most egregious excesses of the past tended to occur when everyone in Washington recognized the same threat and agreed that something had to be done. The Senate's intelligence oversight committee, after a year or two of skepticism, may simply join an expanded inner circle of policy makers who determine the American role in the world, and keep the secrets of the future as their predecessors did those of the past."

Powers was chillingly correct. Once again everyone in Washington recognizes the same threat and agrees that something must be done, and they have produced the Moynihan bill and the foreign intelligence charter to keep secret the blunders and egregious excesses of the present. Hearings are scheduled to begin in the Senate intelligence committee on February 21; unless voices are raised now, the F.O.I.A. will be trampled under, along with other valuable measures—on which we will have more to say.

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AVIATION WEEK & SPACE TECHNOLOGY  
25 February 1980

# Strategic Cuts Laid to Faulty Intelligence

Washington—Defense Dept. factions pressing for a new manned bomber are demanding more accurate U.S. intelligence estimates of the Soviet Union's strategic weapons capability.

The bomber proponents claim that the U.S. must move immediately toward either a stretched version of the General Dynamics FB-111 with increased range and payload, or to the Rockwell International B-1 to counter Soviet strategic superiority.

According to several high-level Pentagon officials, President Carter's decision to halt B-1 production and to delay engineering development of the MX advanced ICBM was the result of faulty National Intelligence Estimates. The Carter B-1 decision came after he received Central Intelligence Agency estimates of Soviet strategic weapons strength issued in December, 1976. This was the most recent National Intelligence Estimate at the time Carter took office in early 1977.

The President's decision to delay the cruise missile program also was based on inaccurate intelligence estimates, the officials claim. In the 1976 National Intelligence Estimate Carter used in deciding on B-1 bomber production, the CIA estimated the Soviets' capability then and where they would be vis a vis the U.S. in 1982 and 1985, the officials said. "And they were off by an order of magnitude in estimates of real Russian nuclear weapons capability," one Pentagon official said.

He added that in the spring and summer of 1978 a new National Intelligence Estimate was prepared that for the first time began to pick up Soviet strategic nuclear weapons momentum, ICBM accuracy, basing and numbers of reentry vehicles being deployed. The year before that the Strategic Air Command had already determined from available information that the USSR had reached parity with the U.S. and that the momentum was continuing with the aim of achieving nuclear weapons superiority.

In the last two National Intelligence Estimates, in 1978, and again in 1979, there were massive jumps in the analysis of Soviet nuclear force capability, one official contends.

Another Defense Dept. official added that there already is a severe problem with the ICBM leg of the triad surviving an attack by Soviet ICBMs now on line, and that there is no way for the U.S. to begin to reverse this situation until the MX system starts to become operational in 1986. But it will be 1989 before MX is fully operational. USAF asked for an initial operational capability of 1983 but could not get the Administration to move the missile into engineering development because of the intelligence estimates, the officials emphasize.

Because of the vulnerability of the ICBM force, the U.S. must look at the bomber leg of the triad to take up the slack in warhead delivery. "We only need a bomber system through the 1980s, but it must be more efficient than the Boeing B-52 in terms of being able to penetrate Soviet air defense," one service official said. He added that the Soviets are testing new-technology weapon systems now at Sary Shagan that make not only bombers but cruise missiles as well vulnerable if the tests are successful. He added that the U.S. already is in the early phase of looking for a countermeasures system.

Officials in the Pentagon believe the U.S. is now in a position where there are few choices available to the President. The Minuteman force could be virtually eliminated by a first strike Soviet attack, they said, so that in reality the U.S. will be able to rely only on its bomber and submarine-launched ballistic missile forces in the 1980s.

Part of the problem, one official said, is that the U.S. will only receive information of "a gross attack warning within the first few minutes from an early warning satellite. If it is not degraded by jamming." He said it would be 15-18 min. before U.S. targets could be determined.

"ICBMs and SLBMs could be launched

in response, but we would still be gathering information on the location of the attack, and we must be capable of saving a portion of the force in reserve for second strike or war fighting capability. This gives an added impetus to acquiring a new manned bomber—pronto," he said.

The official explained that if the U.S. early warning system and ground-based, over-the-horizon radars could determine that only the Minuteman force was under attack, the U.S. could have the options of trying to ride out such an attack or could launch on warning. "But we need a new defense support system early warning spacecraft to aid us in making targeting assessments, and funding has been delayed on it," he said.

Part of the problem is that Defense Secretary Harold Brown is expressing doubts about the capability of the B-1 to penetrate Soviet air defense and survive.

## Penetration Feasible

"That logic doesn't hold up," another Defense Dept. official said, "If the pilots flying tactical aircraft in NATO countries must penetrate Soviet air defenses their survival chances are at least as good and probably not as good as a bomber hardened to the nuclear environment with countermeasures equipments. So you see, the implications in this logic go far beyond a new manned bomber. We are convinced that we are smart enough through a combination of tactics and electronic countermeasures to keep pace with the air defense threat."

He added that the Tactical Air Command, Strategic Air Command and U.S. Air Forces Europe are all confident that aircraft still can penetrate the USSR and survive.

The U.S. has invested 10 years in development time and about \$5 billion in the B-1 bomber program. "There is no doubt that the B-1 is the best penetrating aircraft the U.S. has ever developed, and if we can manage to live with the cost we should acquire it," the official added. "But we could get the stretched FB-111 a year or so faster and at \$7 billion less than the B-1. In today's climate of a significant USSR nuclear weapons advantage it will be hard to get anyone to say that that year's difference may not be important."

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"The U.S. intelligence apparatus has never been very good about estimating the USSR threat, and there is no reason to believe that we will do better in the immediate future," another senior Pentagon officer pointed out. "If you doubt it, just look back over the past five years at the Defense secretary's posture statements, revisions upward in Soviet capability and back-pedaling by the administration in power."

The MX is required "as a big missile because of its throw weight and its growth potential," and movement to reconfigure or repurpose the MX force is necessary, according to USAF officers. They believe that any U.S. administration will press for arms control and that if it is not SALT 2 it will be a SALT X or some other form of agreement. The MX provides for expansion or reduction while retaining survivability, they said, and basing will not be fully decided for the MX system until 1983, so there is still time to decide.

"The Strategic Air Command has not taken a position on it," according to one Pentagon official.

One reason why USAF and Defense Dept. are delaying on making a bomber decision in the Fiscal 1981 budget request to Congress is a funding expansion the service will experience in the early to mid-1980s as a number of strategic systems peak in development and acquisition. This hump in procurement will cost the U.S. at least \$20 billion per year in strategic weapons alone—\$10 billion per year for MX, \$5 billion per year for Trident and several billion yearly for the air-launched cruise missile and B-52 modifications. The squeeze will come in 1985, officials said.

"We are convinced that we will need a larger strategic investment in the 1980s, but when we look at total program costs we find manned bombers very attractive because they can be used for multiple missions—strategic, tactical conventional bombing and for sea surveillance/control," one top-level Pentagon official said. "Tactical aircraft are constrained by range and basing rights, and we have only to turn to the Persian Gulf and Afghanistan to emphasize that point. Strategic bombers and tankers can provide legs not available to tactical fighters."

He added that, because of range to targets in the Persian Gulf and a very long

supply line, the Navy fleet is marginal in that part of the world and a new bomber would go a long way toward solving the problem.

Because of Soviet advanced air defenses, the U.S. is now exploring alternatives for increasing the survivability of air-launched cruise missiles through reduced radar cross sections, lower altitude flight profiles, higher speeds and avionics innovations.

Operating a manned bomber in that environment is complex, but compelling, according to USAF officers. Inclusion of a large force of new manned bombers would mean the Soviets could not tailor their defenses to cope only with the cruise missile.

An aircraft capable of penetrating USSR air defense also is capable of high performance in a variety of roles.

USAF is working to use radar absorbing materials to improve aircraft survivability against about 12,000 surface-to-air missiles in the USSR and against look-down, shoot-down interceptor aircraft now emerging in the Soviet forces. Methods to reduce infrared signatures are being developed. The service also is looking toward variable camber airfoils and digital flight control systems for performance improvement.

One recent development is a tail warning Doppler radar that can detect very-high-velocity, low-radar-cross-section missiles fired at bombers and automatically actuate countermeasures.

There also is in development a whole new generation of infrared flares that can be tailored to match specific engine infrared signatures.

#### Congressional Support

Defense officials are pressing the Carter Administration for a new bomber, and there is strong congressional support for it in the coming fiscal year, particularly in the House. "The fact that Carter made his decision based on bad intelligence information should make it easier for him to reverse himself," one House member said.

One expert last week told the Congress that National Intelligence Estimates "should do what busy officials often do not like; it will complicate their jobs. That is, the estimate's primary purpose should not be to tell them what they know or who disagrees—these elements should be in the document, but as a basis, not the end product. A good estimate should dig deeper, probe the factual bases of disagreement, highlight the critical uncertainties, raise questions that need more attention and explore the factors to which the answers to those questions are sensitive." The estimates should be a useful contribution to decision making rather than a compendium of numbers, he said. "Rather than discovering truth, estimates might better be judged by how they provoke careful debate."